

Austin, Texas,  
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 935, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

FLY, Chairman.

#### House Concurrent Resolution 101 on Second Reading

On motion of Senator Martin, and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

H. C. R. No. 101, Designating a State Agency to obtain from the Federal Government by gifts and grants badly needed war surplus materials for use and benefit of public schools and institutions of higher learning.

The resolution was read second time and was adopted.

#### Local and Uncontested Bill Session

On motion of Senator Martin, and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bill Calendar on Tuesday, May 10, 1955, at 9:30 o'clock a. m.

#### Recess

On motion of Senator Hardeman, the Senate, at 12:25 o'clock p. m., took recess until 9:30 o'clock a. m. tomorrow.

#### FIFTY-EIGHTH DAY

(Continued)

(Tuesday, May 10, 1955)

#### After Recess

The Senate met at 9:30 o'clock a. m., and was called to order by the President.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to

inform the Senate that the House has passed the following:

S. C. R. No. 26, Granting Independent Natural Gas Co. permission to sue the State. (With amendment.)

S. C. R. No. 27, Granting Wheeler Gas Co. permission to sue the State. (With amendment.)

S. C. R. No. 29, Providing for care, custody and control of San Jacinto Memorial Tower, etc.

S. C. R. No. 35, Granting Thomas L. Wade and/or Texas Gas & Power Corporation permission to sue the State, etc. (With amendment.)

S. C. R. No. 37, Granting W. D. Anderson permission to sue the State. (With amendment.)

S. C. R. No. 42, Granting R. O. Peterson permission to sue the State.

S. C. R. No. 46, Regarding appointment of Commission to study consolidation of governmental functions in Harris County.

S. C. R. No. 47, Requesting the Texas Legislative Council to study the Constitution and Laws of this State relating to the status of women and their rights and privileges.

S. C. R. No. 50, Granting permission to H. A. McKnight, et al., to sue the State.

S. C. R. No. 52, Urging completion of the Pan-American Highway.

S. C. R. No. 61, That the Legislature join with the Texas State Board of Education in designating the week of March 5-10, 1956 as Public Schools Week in Texas.

S. C. R. No. 63, Commemorating publisher and author of "David Crockett."

H. C. R. No. 121, Requesting the Texas Legislative Council to make a study of the feasibility of holding annual Sessions of the Legislature and to report its findings to the Fifty-fifth Legislature.

S. B. No. 3, A bill to be entitled "An Act amending Article 7477, Chapter 1 of Title 128 of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the 53rd Legislature, 1953, Chapter 357, Section 1; abolishing the Board of Water Engineers of the

State of Texas and establishing as its successor the Texas Water Commission; providing for the membership of the Commission, the method and manner of appointment, residence qualifications, and term of office; providing for a surety bond of members of the Commission; setting Commissioners' salaries; authorizing payment of expenses; declaring members of the Commission to be state officers; authorizing the Governor to remove from office a Commissioner for cause after hearing; empowering the Governor to appoint the Chairman of the Commission; establishing the number necessary for a quorum and official action; transferring all records, property, employees and pending business of the State Board of Water Engineers to the Commission; requiring the Commission to have a seal and keep full records of its activities; providing for obtaining certified copies of all Commission records; providing for regular and special meetings; requiring the appointment by the Commission of a State Water Engineer as the chief executive and administrative officer and authorizing the delegation to him of certain duties and powers; authorizing the delegation by the Commission to its members or legal examiners of authority to receive evidence at hearings, authorizing the administration of oaths; establishing certain standards for appointment of the State Water Engineer and requiring a bond of him; providing for a Chief Examiner to act as an assistant to the State Water Engineer in matters of an executive or administrative nature, requiring a bond of the Chief Examiner, and prescribing his special and particular duties; providing for a Secretary, setting his bond and prescribing his duties; requiring that no member or employee shall have a direct pecuniary interest in any water right or permit issued by the Commission; prescribing the duties of the Commission; designating the Commission as the authorized state agency to approve or disapprove of any Texas water project to impound or retard surface waters in excess of two hundred (200) acre-feet; providing that the Attorney General shall represent the Commission in all litigation to which it may be a party; providing for the employment of other legal counsel; providing that suits to enforce provisions of this Chapter may be prosecuted by the Attorney General; providing for

an appeal from any ruling, order, decision or other act of the Commission by any person affected and authorizing the filing of petitions to compel the Commission to take action when it has unreasonably failed to do so; fixing the venue for such actions in the District Court of Travis County; providing for trial de novo and declaring that no presumption of validity or reasonableness shall be indulged in favor of any Commission order, rule or regulation and forbidding the application thereto of the 'substantial evidence' rule; providing for appeals from orders of district courts; providing that the Commission may cooperate with other agencies, political subdivisions, and persons; providing a savings clause; and declaring an emergency."

(With amendments.)

The House has adopted the Conference Committee report on H. J. R. No. 15 by a vote of 129 ayes, 7 noes.

The House has adopted the Conference Committee report on House Bill 10 by a viva voce vote.

H. B. No. 26, A bill to be entitled "An Act to amend Article 2618 of the Revised Civil Statutes of 1925 of the State of Texas, as amended, so as to provide for a four-year college at Tarleton State College; prescribing courses of study; providing an operative date; and declaring an emergency."

The House has appointed the following Conference Committee on S. B. 171: Stroman, Cheatham, Dewey, Anderson, and Heitman.

The House has appointed the following Conference Committee on S. B. 154: Garrett, Schwartz, W. C. Reeves, Kirkham, and McNeil.

The House has appointed the following Conference Committee on S. B. 165: Sayers, Pool, Spring, Sanders, and Murphy.

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

#### Message From the Governor

The President laid before the Senate and directed the Reading Clerk to read the following message received from the Governor today:

Austin, Texas,  
May 6, 1955.

To the Members of the Fifty-fourth Legislature.

I am vetoing and returning herewith House Bill No. 855. In Opinion No. MS-209 from the Attorney General, dated May 4, 1955, I am advised that H. B. No. 855 contravenes Section 56 of Article III of the Constitution.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### Local and Uncontested Bill Session

The President announced that the time had arrived for the session for the consideration of the Local and Uncontested Bill Calendar.

#### Senate Resolution 334

Senator Phillips offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Class, Angleton High School, accompanied by Mrs. June Burns; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Phillips by unanimous consent presented the students and Mrs. Burns to the Members of the Senate.

#### House Bill 421 on Second Reading

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 421, A bill to be entitled "An Act amending Article 1106, Chapter 11, of the Penal Code of Texas, by adding a new sentence to Subsection (b) of said Article providing that the words 'reconditioned motor oil,' shall be printed in letters of not less than three-sixteenths (3/16) of an inch in height and one-sixteenth

(1/16) of an inch in width on the front and back surface of all containers in which such motor oil is sold or offered for sale; containing a savings clause; repealing conflicting laws and declaring an emergency."

The bill was read the second time.

Senator Aikin offered the following committee amendment to the bill:

Amend H. B. 421 by striking out in line 9 of section "B" the following words:

"in red block letters on a white background."

The committee amendment was adopted.

Senator Aikin offered the following committee amendment to the bill:

Amend H. B. 421 by striking out in line 11 of section "B" the following:

"or an adhesive label securely attached thereto."

The committee amendment was adopted.

On motion of Senator Aikin and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

#### House Bill 421 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 421 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secret
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

(Senator Hardeman in the Chair.)

#### House Bill 476 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 476, A bill to be entitled "An Act allowing independent school districts to enter into contracts with any attorney of this State for the collection of delinquent taxes; providing for his compensation; making this Act cumulative of all other laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 476 on Third Reading

Senator Aikin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 476 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kelley
Ashley	Lane
Bracewell	Latimer
Colson	Lock
Corbin	Martin
Fly	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Owen
Kazen	Parkhouse

Phillips	Secrest
Ratliff	Shireman
Roberts	Strauss
Rogers	Wagonseller
of Childress	Weinert
Rogers of Travis	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 905 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 905, A bill to be entitled "An Act establishing the Bowie County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; authorizing appointment of a juvenile officer; prescribing his powers and duties and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

The bill was read the second time.

Senator Aikin offered the following amendment to the bill:

Amend House Bill No. 905 by striking out the word "shall" on line 2 of section 2 and insert in lieu thereof the word "may."

The amendment was adopted.

On motion of Senator Aikin and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

**House Bill 905 on Third Reading**

Senator Aikin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 905 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 924 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 924, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Bowie County by authorizing the County to issue certificates of indebtedness for the purpose of acquiring right-of-way for the des-

ignated State Highways, including Farm-to-Market Highways, or Federal Highways when the acquisition of such right-of-way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 924 on Third Reading**

Senator Aikin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 924 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Lane
Ashley	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fly	Moffett
Fuller	Moore
Hardeman	Owen
Hazlewood	Parkhouse
Kazen	Phillips
Kelley	Ratliff

Roberts	Shireman
Rogers	Strauss
of Childress	Wagonseller
Rogers of Travis	Weinert
Secrest	Willis

**House Bill 895 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 895, A bill to be entitled "An Act providing for County Juvenile Boards in each county comprising the 38th Judicial District, and in each county comprising the 63rd Judicial District; providing for compensation of members of the Boards; provided compensation allowed County Judges hereunder shall not be counted as fees of office; providing that this Act shall be cumulative of existing laws relating to compensation of Judges of District Courts and County Judges; providing a savings clause; and declaring an emergency."

The bill was read the second time.

Senator Ashley offered the following amendment to the bill:

Amend House Bill 895 by striking out the word "shall" on line 22 of Section 1 and inserting in lieu thereof the word "may."

The amendment was adopted.

On motion of Senator Ashley and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

**House Bill 895 on Third Reading**

Senator Ashley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 895 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kazen
Ashley	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fly	Martin
Fuller	McDonald
Hardeman	Moffett
Hazlewood	Moore

Owen	Rogers of Travis
Parkhouse	Secrest
Phillips	Shireman
Ratliff	Strauss
Roberts	Wagonseller
Rogers	Weinert
of Childress	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 357 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 357, A bill to be entitled "An Act amending Article 2094 of the Revised Civil Statutes of 1925, as amended so as to provide that the dates for the selection of jurors by the jury wheel method in each county in so far as they are now provided by statute shall be changed from August 1 to August 15 to July 1 to August 15, and declaring an emergency."

The bill was read the second time.

Senator Bracewell offered the following amendment to the bill:

Amend H. B. No. 357 by adding a new sentence at the end of Section 1 which shall read as follows: "It is expressly provided, however, that this Act shall not apply to any District Court which is now authorized to use the jury commission in lieu of the jury wheel."

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent the caption

was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 357 on Third Reading

Senator Bracewell moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 357 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read the third time.

Senator Fly offered the following amendment to the bill:

Amend Amendment No. 1 by Fly to H. B. 357 by striking out the word "now."

The amendment was adopted by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

On motion of Senator Fly and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 898 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 898, A bill to be entitled "An Act constituting a local law for the maintenance of public highways for Harris County, to become operative after an election shall have been held and carried in said County; authorizing the Tax Collector of Harris County to collect certain amounts of money from owners of vehicles in the County; etc.; and declaring an emergency."

The bill was read the second time.

Senator Bracewell offered the following amendment to the bill:

Amend House Bill 898 by changing the period at the end of the first sentence in Section 2 thereof to a semicolon and adding thereafter the following:

"provided, however, that the additional registration fee authorized to be collected under the terms of this Act shall not exceed a maximum sum of Thirty Dollars (\$30.00) for each motor vehicle, trailer, or semi-trailer."

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

**House Bill 898 on Third Reading**

Senator Bracewell moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 898 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 734 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 734, A bill to be entitled "An Act amending Section 1 of Senate Bill No. 98, Chapter 62, Acts of the 53rd Legislature, Regular Session (Article 2779b, V. C. S.), so as to change the amount of the surety bond requirement of the tax assessor-

collector of an independent school district having its own tax assessor-collector; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 734 on Third Reading**

Senator Bracewell moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 734 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 639 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 639, A bill to be entitled



"An Act to abolish the office of County Attorney of Polk County; creating the constitutional office of Criminal District Attorney of Polk County; providing for the election and tenure of office and prescribing the qualifications, powers, duties, compensation and expense of said office; providing for the appointment of assistants, investigators, clerks and stenographers and providing for their compensation and prescribing their powers and duties; providing for the appointment of the Criminal District Attorney until the next general election and until his successor shall qualify; providing from the effective date of this Act that the District Attorney of the 9th Judicial District of Texas shall represent the State of Texas only in the 9th Judicial District Court of Texas and in the Special 9th Judicial District Court of Texas in the counties of Waller, Montgomery and San Jacinto and that the provisions of this Act shall not affect the office of District Attorney of the 9th Judicial District of Texas in the counties of Waller, Montgomery and San Jacinto and shall not affect the tenure of office and duties and powers of such District Attorney in said counties of Waller, Montgomery and San Jacinto; providing that the District Attorney of the 9th Judicial District shall be elected for only the counties of Waller, Montgomery and San Jacinto at the next general election and every four years thereafter and divesting the duties and powers of the District Attorney of the 9th Judicial District of Texas to represent the State of Texas in the 9th Judicial District Court and the Special 9th Judicial District Court of Polk County and investing these powers and duties in the Resident Criminal District Attorney of Polk County, Texas; providing for a repealing clause; and declaring an emergency."

The bill was read the second time.

Senator Colson offered the following committee amendment to the bill:

Amend H. B. 639, Section 4, line 4, by striking out the following:

"of Five Hundred Dollars (\$500) from the State of Texas as provided by the Constitution of the State of Texas for the salary of district attorney and a sum"

The committee amendment was adopted.

On motion of Senator Colson and by unanimous consent the caption was

amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### House Bill 639 on Third Reading

Senator Colson moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 639 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 635 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 635, A bill to be entitled "An Act fixing the open season for

killing wild quail in Cochran County; prohibiting the killing of wild quail at any other time and providing the penalty for violation; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 635 on Third Reading

Senator Corbin moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 635 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 287 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 287, A bill to be entitled "An Act providing for additional compensation for the County Judge of Lubbock County for serving as a member of the County Juvenile Board; naming the fund out of which the additional compensation shall be payable; providing that this Act shall be cumulative of existing laws; providing for a severability clause; and declaring an emergency."

The bill was read second time.

Senator Corbin offered the following amendment to the bill:

Amend H. B. 287 by striking out the word "shall" in line 14 and inserting in lieu thereof the word "may."

The amendment was adopted.

On motion of Senator Corbin, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 287 on Third Reading

Senator Corbin moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended, and that H. B. No. 287 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote :

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 288 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 288, A bill to be entitled "An Act authorizing the creation of districts for the control and eradication of noxious weeds, defining noxious weeds; providing for the method of the creation and organization of such districts and regulating the functions, duties and powers of the officers and directors of such districts; providing the methods of appointing officers and directors of such districts; providing for their compensation and expenses; providing for filling of vacancies of officers and directors of such districts; providing for the appointment and compensation of inspectors; providing for the enforcement of the orders of the Board of Directors of such districts, and declaring an emergency."

The bill was read second time.

Senator Corbin offered the following committee amendment to the bill:

Amend House Bill No. 288 by striking out all below the enacting clause and substituting therefor the following:

Section 1. This Act shall apply to the following counties only: Dallam, Sherman, Hansford, Ochiltree, Lipscomb, Hartley, Moore, Hutchinson, Roberts, Hemphill, Oldham, Potter, Carson, Gray, Wheeler, Deaf Smith, Randall, Armstrong, Donley, Collingsworth, Parmer, Castro, Swisher, Briscoe, Hall, Childress, Bailey, Lamb, Hale, Floyd, Motley, Cochran, Hockley, Lubbock, Crosby and Dickens.

Sec. 2. The Legislature hereby finds that noxious weeds are present in the above-named counties to such a degree as to constitute a menace to agriculture and to be deleterious to the proper utilization of the soil and other natural resources of the area; and reclamation of these lands from the damaging effects of noxious weeds is hereby recognized as a public right and duty in the interest of the conservation and development of the natural resources of the State, pursuant to Section 59 of Article XVI of the Constitution of Texas. Districts for the control and eradication of noxious weeds may be formed out of territory situated in the above-named counties in the manner hereinafter prescribed.

Sec. 3. As used in this Act, unless the context otherwise requires:

(a) "Noxious weed" means any weed or plant which at the time is defined as a noxious weed by any statute of this State or which has been declared a noxious weed by the Commissioner of Agriculture of the State of Texas by authority of the Texas Seed Law or any other law of this State.

(b) "Landowner" means any natural person who holds title to lands lying within a district organized under this Act, who has attained the age of twenty-one years, and is a resident of a county, all or any part of which is included in such district.

(c) "Land occupier" means any person, firm, or corporation holding title to or being in possession of any lands lying within a district organized under the provisions of this Act, whether as owner, lessee, renter, tenant or otherwise.

(d) "Resident property taxpaying voter" means a qualified voter residing within the district who owns taxable property therein and who has duly rendered same to the county tax assessor for taxation.

(e) "District" means a noxious weed control district organized under this Act.

Sec. 4. All districts organized under the provisions of this Act shall be known and designated as Noxious Weed Control Districts. Such districts may include the area of any county or counties, or any portion thereof, including towns, villages, or municipal corporations or portions thereof; except that no district shall contain less than 32,000 acres nor consist of

territory in more than five counties. A district may include any political subdivision of the State or a defined district, or a part or parts of a political subdivision or defined district, but no land shall be included in more than one noxious weed control district. The land composing the district need not be in one body, but may consist of separate bodies of land separated by land not embraced in the district. No district provided for in this Act shall embrace territory situated in more than one county except by a majority vote of the property taxpaying voters residing within the territory in each county sought to be embraced within the district.

Sec. 5. Petition for the organization of a district shall be signed by a majority of the landowners residing within the proposed district, as shown by the county tax rolls, but if the number of landowners is more than fifty, the petition shall be sufficient if it is signed by fifty landowners. The petition may be signed and filed in two or more copies.

Sec. 6. The petition shall designate the name of the districts and the area and boundaries thereof. If the proposed district lies wholly within one county, the petition shall be presented to the commissioners' court of the county; and if the proposed district lies in more than one county, the petition shall be presented to the commissioners' court of the county in which the largest area lies (hereinafter sometimes referred to as the commissioners' court of jurisdiction).

The petition shall be accompanied by Five Hundred Dollars (\$500.00) in cash, which shall be deposited with the county clerk. If the petition is refused or if the result of an election for the creation of the district is against its establishment, the clerk shall pay out of the deposit, upon vouchers signed by the county judge, all costs and expenses pertaining to the proposed district up to and including the election, and shall return the balance, if any, to the petitioners, their agent or attorney. If the result of the election is in favor of the establishment of the district, the clerk shall pay all costs and expenses up to and including the election, as above provided, and shall deliver the balance, if any, to the chairman of the board of directors of the district within thirty days after his election; and

the board of directors shall repay the petitioners the full amount of the deposit out of the first moneys collected by the district.

Sec. 7. When a petition is filed for the organization of a district the commissioners' court shall make an order setting the date for the hearing thereon. The petition may be considered at a regular or special session of the court. The county clerk shall issue a notice of such hearing by causing it to be published at least twice, with an interval of at least seven days between the two publication dates, in a newspaper of general circulation, published within the county, in each county in which the proposed district lies, or if there is no such newspaper, by causing the notice to be posted for at least two weeks at four public places within the proposed district in each county in which the notice is not published in a newspaper. The notice of hearing shall contain a statement of the nature and purpose thereof, the date and time and place of hearing, and a description of the boundaries of the district, but the boundaries may be described in general terms without the necessity of setting out the full legal description by metes and bounds.

Sec. 8. Upon the day set for hearing, any person whose land is included in or would be affected by the creation of such district may appear and contest the creation thereof and may offer testimony to show that such district is or is not necessary, or would or would not be a benefit to the land included thereon. Such hearing may be adjourned from day to day.

Sec. 9. The commissioners' court shall grant the petition if, after hearing, it finds that the creation of the district would be a public benefit and that a substantial portion of the lands within the proposed district would be benefited by its creation. If the court finds that any lands included within the proposed district would not be benefited by its creation, it shall exclude such lands and shall redefine the boundaries of the district accordingly. If the court should find that the proposed district would not be a public benefit or a benefit to a substantial portion of the land to be included therein, it shall refuse the petition.

Sec. 10. After the hearing upon the petition, if the court finds in favor of the petition according to the bound-

aries as set out in the petition or as changed or modified by the court, the commissioners' court of jurisdiction shall order an election for the purpose of submitting to the qualified property taxpaying voters residing in the district whether or not the district shall be created. Notice of the election shall be given by the clerk of the court by posting notices thereof in four public places in the proposed district, and one at the courthouse door of the county in which the district is located, and if the district is composed of more than one county then there shall be posted a copy of the notice at the door of the courthouse of each county in which any portion of the proposed district is located, and at four public places within each county in which any portion of the proposed district is located, and within the boundaries of the district. The notices shall be posted for thirty days prior to the date set for the election. The notices shall state the purpose of the election and the time and places of holding the same, and shall contain a description of the boundaries of the proposed district.

Sec. 11. The ballots for such election shall have printed thereon the following propositions: "For creation of the district and uniform assessment of benefits not to exceed three cents per acre" and "Against creation of the district."

Sec. 12. The manner of conducting the election shall be governed by the election laws of the State, except as herein otherwise provided. None but resident property taxpaying voters of the proposed district shall be entitled to vote at the election. The commissioners' court shall create and define, by an order of the court, the voting precincts in the proposed district, and shall name a polling place or places within such precincts, taking into consideration the convenience of the voters in the proposed district, and shall also select and appoint the judges and other necessary officers of the election.

Sec. 13. Immediately after the election, the officers holding the same shall make returns of the result thereof to the commissioners' court of jurisdiction, which shall canvass the vote and return and enter an order declaring the results of the election. If it is found that a majority of votes cast in each county at the election are in favor of the creation of the district, the commissioners' court shall enter an order declaring the establishment of the district. If the proposed district

embraces more than one county, the commissioners' court shall declare the district established only in the territory included in each county in which the majority of the votes cast were in favor of its creation. A copy of the order shall be transmitted to the county clerk of each county in which a portion of the district lies, and shall be filed by him as a public record.

Sec. 14. The district shall be governed by a board of directors composed of five members, each of whom shall be a landowner within the district. The first board of directors shall be appointed by the commissioners' court of jurisdiction. If the district comprises more than one county or parts of more than one county, one member shall be appointed from each county and the remaining members shall be appointed from the district at large. Three of the directors first appointed shall serve until the first annual meeting hereinafter provided for, and two shall serve until the second annual meeting, the term of each to be determined by lot. Thereafter, the directors shall serve for terms of two years.

The board shall annually elect a chairman and such other officers as it desires. A vacancy during a term shall be filled by the remaining members of the board.

Sec. 15. The chairman shall call an annual meeting of the resident property taxpaying voters in the district, to be held on the fourth Saturday in April, at which meeting the resident property taxpaying voters shall elect successors for the directors whose terms are expiring that year. Each director so elected shall be a resident of the territory from which his predecessor was required to be selected. The chairman shall give written notice of the time and place of the meeting, at least ten days in advance thereof, to each taxpayer in the district as shown by the records of the county tax assessor-collector in each of the counties in which any part of the district lies. Any resident property taxpaying voter may appoint a proxy to represent him at the meeting. The annual meeting shall also be devoted to such other purposes as the board of directors think proper.

Sec. 16. The board of directors shall have the following powers:

(a) To determine which noxious weeds shall be subject to control.

(b) To determine the method or methods of control, either by spray-

ing, cutting, burning, tillage, or any other appropriate method.

(c) To prescribe the specific areas within the district on which the control measures are to be carried out.

(d) To prescribe the period within which the control measures are to be carried out.

(e) To take such other action as is necessary to effectuate the purposes of this Act.

Sec. 17. The board of directors is specifically authorized to promulgate rules and regulations requiring the cleaning of farm implements and machinery which is brought into the district or which is moved from one location to another within the district, and prescribing the method of disposition of materials taken from such implements and machinery. Before such rules or regulations are put into effect, notice of their adoption shall be given by posting a copy thereof at four public places in each county within the district at least ten days before the effective date, and by filing a copy with the county clerk of each county within the district. A violation of the rules and regulations shall constitute a misdemeanor and shall be punishable by a fine of not less than twenty-five dollars nor more than two hundred and fifty dollars.

Sec. 18. The chairman of the board of directors shall give written notice to each land occupier informing him of the control measures which are in effect on his land and all other necessary information to enable the land occupier to carry out the measures.

It shall be the duty of each land occupier to comply with the control measures prescribed by the board of directors. It shall be the duty of the county commissioners' court in each county to comply with the control measures on rights-of-way of all public roads and other public lands within the district.

The board of directors or any inspector appointed by the board shall have the right to enter upon any land within the district to determine whether control measures are necessary and to determine whether control measures prescribed by the board are being carried out. If it is found that any land occupier is not complying with the board's directions, the board shall give him written notice ordering him to comply within a stated time. If he fails to comply with the order, the board may file a suit for a mandatory injunction in the district court of the county in which the land is situated,

to compel him to comply with the order. Any land occupier against whom an injunction is issued shall be liable for all costs of the suit and for a reasonable attorney's fee, to be fixed by the court.

Sec. 19. The board of directors may levy an annual uniform assessment against the land within the district, not to exceed three cents per acre, for the purpose of paying the expenses of the district. The board may appoint an assessor-collector to assess and collect the assessments and may allow him as compensation an amount not to exceed five per cent of all money collected by him. He may be required to give bond in an amount to be fixed by the board. If the board of directors prefers, it may contract with the county tax assessor-collector to perform these services, and the county tax assessor-collector shall be entitled to retain five per cent of all money collected by him, which shall be accounted for as other fees of office; or the board may appoint an assessor and contract with the county assessor-collector for collection of the tax, in which event the district assessor's compensation shall be fixed at an amount not to exceed two and one-half per cent of the total assessments and the county assessor-collector may retain two and one-half per cent of the amounts which he collects. The moneys collected shall be deposited in the district depository selected by the board.

The chairman of the board of directors shall file an annual report with the county clerk of each county in which the district lies, before the first day of April of each year, showing the total amount received and an itemized statement of the amounts expended during the preceding year, together with the balance remaining on hand.

Sec. 20. Each director shall be entitled to receive Five Dollars (\$5.00) per day for attending meetings of the board, not to exceed Sixty Dollars (\$60.00) per year, and 10 cents per mile for the distance actually traveled between his place of residence and the place of the meeting.

The board of directors may employ one or more inspectors for the purpose of inspecting the lands within the districts to determine in what areas control measures are needed and to determine whether control measures are being carried out. The inspectors shall be entitled to receive their actual and necessary traveling expenses

and such compensation as the board may fix. The board may also employ such clerical help as may be necessary and may incur all other necessary expenses in carrying out the purposes of this Act.

Sec. 21. Upon petition presented to the board of directors of a district, signed by fifty or by a majority of the landowners residing within the district, whichever is the lesser number, asking for an election upon a proposal to dissolve the district, the board of directors shall order an election thereon to be held not more than ninety days from the date the petition is received. Notice of the election shall be given under the hand of the chairman of the board of directors by publication at least twice, with an interval of at least seven days between the two publications, in a newspaper of general circulation, published within the county in each county in which the district lies, or if there is no such newspaper, by posting the notice for at least two weeks at four public places within the district in each county in which the notice is not published in a newspaper. The notice shall contain a statement of the purpose of the election and the time and place or places of holding the same. The board of directors shall designate the polling place or places within the district, taking into consideration the convenience of the voters, and shall also select and appoint the judges and other necessary officers of the election. None but resident property taxpaying voters of the district shall be entitled to vote at the election. The manner of conducting the election shall be governed by the election laws of the State, except as herein otherwise provided.

Sec. 22. Returns of the election shall be made to the board of directors, which shall canvass the returns and enter an order declaring the results of the election. If a majority of the votes cast at the election are against the dissolution of the district, no further election on the proposition shall be held for a period of twelve months thereafter. If a majority of the votes cast are in favor of the dissolution of the district, the board of directors shall enter an order declaring the district to be dissolved; and thereafter the board of directors shall not exercise any further powers except to terminate the affairs of the district. If there is not on hand sufficient money to pay off all claims against the district and if the annual assessments already levied will not provide

sufficient funds for this purpose, the board of directors shall have authority to levy and cause to be collected further annual assessments but only in such amount as may be necessary to settle the claims against the district. Any money remaining on hand after all claims have been settled shall be paid over ratably to the county treasurer of each county in which the district lies in the proportion which the territory in each county bears to the total area of the district, and shall be placed by the treasurer in the general fund of the county.

Sec. 23. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 24. The fact that noxious weeds constitute a menace to the farms in the area to which this Act applies and the need for making adequate provision for their control create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The committee amendment was adopted.

Senator Corbin offered the following committee amendment to the bill:

Amend House Bill No. 288 by striking out all above the enacting clause and substituting therefor the following:

#### A BILL TO BE ENTITLED

"An Act authorizing the creation of districts for the control and eradication of noxious weeds in certain counties of the State; defining noxious weeds and other terms; providing for the method of the creation and organization and dissolution of such districts; regulating the functions, duties and powers of the district officers and directors, and providing for their selection, compensation, and expenses; providing for the appointment and compensation of employees; providing for the enforcement of the orders of the board of directors and prescribing a criminal penalty for violation of certain rules and regulations pro-

mulgated by the board; authorizing the levy of annual assessments against the land within the district and providing for their assessment and collection; providing for severability; and declaring an emergency."

The committee amendment was adopted.

The bill, as amended, was passed to third reading.

#### House Bill 288 on Third Reading

Senator Corbin moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 688 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 688, A bill to be entitled "An Act amending Subsection (a) of Section 5 of Article XVII, Chapter 184, Acts of the Regular Session of the 47th Legislature as amended by Chapter 298, Acts of the Regular Session of the 48th Legislature, by extending the existing law which authorizes one licensed distributor to make sales or resales of motor fuel products without collecting the tax imposed thereon to another licensed and bonded distributor when the products are purchased for exportation, further refining, or blending with other products, to extend said authority to one licensed distributor to make sales or resales of said motor fuel products without collecting the tax imposed thereon to another licensed and bonded distributor who purchased the product for the purpose of sale or resale to the Federal Government for the exclusive use of said Federal Government, containing savings and repealing clauses and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 688 on Third Reading

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 688 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the



bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—30

Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

## Nays—1

Aikin

**House Bill 765 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 765, A bill to be entitled "An Act regulating the manner of taking fish from the waters of the Guadalupe River in Victoria, Calhoun and Refugio Counties; prohibiting the use of certain devices and providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 765 on Third Reading**

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 765 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 916 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 916, A bill to be entitled "An Act prohibiting the taking of minnows from the waters of Karnes County for the purpose of sale; prohibiting certain persons from taking minnows from these waters; prohibiting the transportation of minnows out of the county for sale or any commercial purpose; limiting the number of minnows which may be transported out of the county and the number which may be in possession in a vehicle in the county; providing a penalty for violation of the Act; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 916 on Third Reading**

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No.

916 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 676 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 676, A bill to be entitled "An Act amending Section 1 of Chapter 186 of the Acts of the 50th Legislature, 1947, as amended, and being Section 1 of Article 8280-131 of Vernon's Civil Statutes, to reduce the terms of directors; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 676 on Third Reading

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 676 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

House Bill 691 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 691, A bill to be entitled "An Act amending Section 3, Senate Bill No. 277, Chapter 231, Acts, Fortieth Legislature, 1927, known as Article 974a, Vernon's Texas Civil Statutes, allowing cities within five miles

of each other to enter into agreements on platting outside their own corporate limits under certain conditions; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 691 on Third Reading

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 691 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 908 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 908, A bill to be entitled "An Act creating the Runnels County Colorado River Water and Soil Conservation District as a body politic and corporate, pursuant to Section 59 of Article 16 of the Constitution of Texas; fixing its boundaries; etc., and declaring an emergency."

The bill was read the second time.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 1, by striking out the words "Runnels County Colorado River Water and Soil Conservation District" and insert in lieu the words "Runnels County Water Improvement District."

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 2, Subdiv. (a), by striking out the words "Runnels County" therein.

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 3, by striking out the words "Runnels County Colorado River Authority" and substituting the words "Runnels County Water Improvement District."

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 17, by changing the words "Runnels County Colorado River Water and Soil Conservation District" to "Runnels County Water Improvement District."

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 8, by strik-

ing out the words and figures "Five Thousand Dollars (\$5000) or to confinement in the county jail of not less than one year nor more than five (5) years" and inserting in lieu the following:

"One Thousand Dollars (\$1000) or to confinement in the county jail for not less than six (6) months nor more than one (1) year or by both such fine and imprisonment."

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 2, Subdiv. (d) by changing the period at the end of the first paragraph following the word "conservation" to a semicolon and adding the following:

"provided, however that no appropriation of public waters shall be made until a permit therefor has been obtained from the Board of Water Engineers as now provided by law for the appropriation of unappropriated public waters of this State."

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 908, Sec. 7, by striking out the words "the county seat of"

LANE  
HARDEMAN

The amendment was adopted.

On motion of Senator Lane, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 908 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 908 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 755 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 755, A bill to be entitled "An Act authorizing general law cities to make appropriations for advertising and promoting their growth and development; requiring an election; providing for severability; and declaring an emergency."

The bill was read second time.

Senator Lane offered the following amendment to the bill:

Amend House Bill 755 by striking out all of Section 2 and renumbering the subsequent section.

LANE  
HARDEMAN

The amendment was adopted.

Senator Lane offered the following amendment to the bill:

Amend H. B. 755, Sec. 1, by adding the word "property" between the words "qualified" and "taxpaying."

LANE  
HARDEMAN

The amendment was adopted.

On motion of Senator Lane, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 755 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 755 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagon seller
Ratliff	Weinert
Roberts	Willis

#### House Bill 681 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 681, A bill to be entitled "An Act amending Articles 613 and 649 of the Revised Civil Statutes of 1925, as amended, to allow cashier's checks to accompany bids; amending Article 655 of the Revised Civil Statutes of 1925, as amended, to dispense with the necessity of an affidavit from the seller in connection with invoices of Fifty Dollars or less; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 681 on Third Reading

Senator Kazen moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 681 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 932 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 932, A bill to be entitled "An Act closing the season for hunting wild turkeys in Jim Hogg County for a period of five years; providing penalty for violation of this Act; suspending conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 932 on Third Reading**

Senator Kazen moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 932 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the

bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 917 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 917, A bill to be entitled "An Act to amend H. B. No. 1082, Acts of the 47th Legislature of Texas, authorizing the Commissioners Court in all counties in the State of Texas to appropriate not more than five (5) cents on the one hundred dollars assessed valuation for the purpose of advertising and promoting the growth and development of the counties; and providing for an election authorizing such appropriation and creating and providing for the appointment of a Board of Development devoted to the growth, advertisement and development of such counties; providing said appropriation to constitute a separate fund to be known as the Board of Development Fund; limiting the amount to be appropriated, describing certain duties for said board; making the Act cumulative of other laws authorizing such counties to appropriate such money; validating sums appropriated or expended for such purposes under previous Acts; restricting the authority to levy the tax provided for herein to counties of more than fifty thousand (50,000) population according to the most recent United States Census; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Kazen offered the following amendment to the bill:

Amend H. B. 917, Section 2, by striking out the words and figures "fifty thousand (50,000)" and substituting in lieu thereof the words and figures "one hundred thousand (100,000)."

The amendment was adopted.

Senator Kazen offered the following amendment to the bill:

Amend H. B. 917 by inserting a new Section to be known as Section 3, following Section 2, and renumbering the following Sections accordingly, said new Section to read as follows:

"The authority to appropriate the amount authorized in this bill out of the General Fund shall be restricted to counties of more than fifty thousand (50,000) population according to the last preceding Federal Census."

The amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

#### House Bill 917 on Third Reading

Senator Kazen moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 917 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the

bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 918 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 918, A bill to be entitled "An Act validating, ratifying, confirming and approving certain contracts and agreements, scrip and interest-bearing time warrants authorized by counties in this State since the approval by the Governor of Texas, on June 8, 1953, of Chapter 382, Acts of the 53rd Legislature of Texas, Regular Session, 1953, validating the proceedings adopted by such Commissioners' Courts relating thereto; validating, ratifying, confirming and approving refunding bonds issued for the purpose of refunding time warrants and all proceedings relating to the issuance of refunding bonds for such purposes; providing that refunding bonds now in the process of being issued by any county in this State to refund any such warrants now outstanding may be issued irrespective of the fact that the Commissioners' Court in giving the notice of intention to issue such refunding bonds may not have in all respects complied with statutory provisions; providing that this Act shall not apply to any contract, scrip warrant or time warrant or to any refunding bond proceedings, orders, resolutions or other instruments, or bonds executed or issued by any county with a population in excess of three hundred thousand (300,000) inhabitants according to the last preceding Federal Census or any contract, scrip warrant or time warrant or any refunding bond proceedings, orders, resolutions or

other instruments, or bonds the validity of which is now involved in litigation; and declaring an emergency."

The bill was read the second time.

Senator Kazen offered the following committee amendment to the bill:

Amend H. B. 918 by striking out the words and figures "three hundred and fifty thousand (350,000)" wherever they appear and substitute in lieu thereof the words and figures "one hundred and sixty-five thousand (165,000)."

The committee amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

#### Record of Votes

Senators Aikin and Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 918 to third reading.

#### House Bill 918 on Third Reading

Senator Kazen moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 918 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—29

Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

#### Nays—2

Aikin	Hardeman
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—29

Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

#### Nays—2

Aikin	Hardeman
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#### House Bill 342 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 342, A bill to be entitled "An Act amending Section 24 of Article 118b, Revised Civil Statutes, being the Citrus Fruit Growers Act providing for the marking of grapefruit to show its origin; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 342 on Third Reading

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman



Strauss  
Wagonseller

Weinert  
Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 343 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 343, A bill to be entitled "An Act relating to packing and shipment of citrus fruit; amending Section 9 of Chapter 180, General Laws of the 43rd Legislature, Regular Session, 1933, so as to prohibit shipment of citrus fruit in bulk under certain circumstances and to require such fruit to be packed in closed containers."

The bill was read second time and was passed to third reading.

#### House Bill 343 on Third Reading

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 343 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin  
McDonald  
Moffett  
Moore  
Owen  
Parkhouse  
Phillips  
Ratliff  
Roberts

Rogers  
of Childress  
Rogers of Travis  
Secrest  
Shireman  
Strauss  
Wagonseller  
Weinert  
Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 687 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 687, A bill to be entitled "An Act to provide that a drainage district organized under the provisions of Article 3, Section 52, thereafter or hereafter converted to a reclamation district under Article 16, Section 59, of the Constitution, which district is within the boundaries of a single county, may add or annex additional territory within the same county upon the meeting of certain conditions; providing the Act is cumulative of existing laws pertaining to conservation and reclamation districts; providing ex officio salaries; providing a severance clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 687 on Third Reading

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that

H. B. No. 687 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 748 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 748, A bill to be entitled "An Act amending Article 7922, Revised Civil Statutes of Texas, 1925, relating to the power of fresh water supply districts to incur indebtedness; authorizing the issuance of notes payable solely from revenue upon a majority vote of the members of the board of supervisors without the necessity of an election; making further provisions concerning the issuance of the notes and the pledging of

revenues for payment; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 748 on Third Reading**

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 748 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 880 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 880, A bill to be entitled

"An Act providing for the appointment of court interpreters in certain Judicial Districts; providing for payment of salaries to such interpreters; repealing Acts, Fifty-first Legislature, 1949, Chapter 28, and other laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 880 on Third Reading

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 880 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 929 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 929, A bill to be entitled "An Act constituting a local law for the maintenance of Public Highways for Hidalgo County, to become operative after an election shall have been held and carried in said county; etc., and declaring an emergency."

The bill was read the second time.

Senator Kelley offered the following committee amendment to the bill:

Amend House Bill No. 929 by inserting in Section 2 on page 2, line 8, of the bill, immediately following the word "semi-trailer" and immediately preceding the word "shall" the following words:

"motor bus, or street or suburban bus,"

The committee amendment was adopted.

On motion of Senator Kelley and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

#### House Bill 929 on Third Reading

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 929 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### Report of Standing Committee

Senator Rogers of Childress, by unanimous consent, submitted the following report:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred H. B. No. 577, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS of Childress.

#### House Bill 577 Ordered Not Printed

On motion of Senator Rogers of Childress and by unanimous consent, H. B. No. 577 was ordered not printed.

#### House Bill 933 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 933, A bill to be entitled "An Act regulating the hunting of wild pheasants in Hidalgo County; prescribing the season and the conditions under which wild pheasants may be hunted, taken or killed; prohibiting the hunting, taking or killing of wild pheasants at any other season or under any other conditions and providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 933 on Third Reading

Senator Kelley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 933 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 286 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 286, A bill to be entitled "An Act amending Chapter 125, Acts of the 45th Legislature, Regular Ses-

sion, 1937, as amended, and codified as Vernon's Civil Statutes, Article 6243e, by amending Section 23 thereof to allow investment of surplus in the Firemen's Relief and Retirement Fund in shares or share accounts of building and loan associations or Federal Savings and Loan Associations, and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 286 on Third Reading

Senator Lane moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 286 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 803 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 803, A bill to be entitled "An Act to create a more efficient road system for Gregg County, Texas, for laying out, opening, widening, grading, draining, constructing, building and repairing the public roads of Gregg County other than designated State Highways in Gregg County; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 803 on Third Reading

Senator Lane moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 803 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Kelley
Ashley	Lane
Bracewell	Latimer
Colson	Lock
Corbin	Martin
Fly	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Owen
Kazen	Parkhouse

Phillips	Secrest
Ratliff	Shireman
Roberts	Strauss
Rogers	Wagonseller
of Childress	Weinert
Rogers of Travis	Willis

**House Bill 899 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 899, A bill to be entitled "An Act to abolish the office of County Attorney of Harrison County, Texas; creating the Constitutional office of Criminal District Attorney for Harrison County; providing for the election and tenure of office, and prescribing the qualifications, powers, duties, compensation and expenses of said office; providing for the appointment of assistants, investigators, stenographers and providing for their compensation, prescribing their powers and duties; providing for the appointment of the Criminal District Attorney until the next general election and until his successor shall qualify; and providing that the District Attorney of the 71st Judicial District shall be elected from Harrison County at the next general election and every four years thereafter; providing for a severability clause; providing for a repealing clause; and declaring an emergency."

The bill was read second time.

Senator Lane offered the following amendment to the bill:

Amend H. B. 899 by striking out after the colon in Section 4 the following:

"A salary of Five Hundred (\$500.00) Dollars from the State of Texas as provided in the Constitution of the State of Texas for the salary of District Attorneys."

The amendment was adopted.

On motion of Senator Lane, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

**House Bill 899 on Third Reading**

Senator Lane moved that Senate Rule 32 and the Constitutional rule

requiring bills to be read on three several days be suspended and that H. B. No. 899 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 77 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 77, A bill to be entitled "An Act to amend Article 6674-n, Revised Civil Statutes of Texas, of 1925, as amended by Chapter 207, Senate Bill No. 531, passed at the Regular Session, Forty-third Legislature, General Laws, Page 622; as amended by Chapter 199, House Bill No. 439, passed at the Regular Ses-

sion, Forty-fourth Legislature, General Laws, Page 485; conferring upon the State Highway Commission the right of eminent domain acting by and through the Attorney General of the State of Texas, to condemn land for right of way in connection with the construction of a designated State Highway; etc.; and declaring an emergency."

The bill was read second time.

Senator Latimer offered the following amendment to the bill:

Amend H. B. 77, Sec. 1, by striking out the last sentence thereof and inserting in lieu the following:

"Such condemnation proceedings shall be instituted by the County or District Attorney of the County in which the land is situated and the venue of such proceedings shall be in the county in which the land is situated and jurisdiction and authority to appoint three (3) disinterested freeholders of such County as Commissioners is hereby conferred upon the County Judge of such County in which the land is situated and otherwise such condemnation shall be according to the provisions of said Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, 1925, as amended."

LATIMER  
HARDEMAN

The amendment was adopted.

On motion of Senator Latimer, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended; was passed to third reading.

#### House Bill 77 on Third Reading

Senator Latimer moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bracewell	Fly

Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kazen	Roberts
Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagonseller
Moore	Weinert
Owen	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 558 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 558, A bill to be entitled "An Act authorizing the leasing for minerals of all or any part of the Public Lands of the State in and under and adjacent to Caddo Lake and the tributaries thereto by the Commissioner of the General Land Office in accordance with the provisions of existing or future laws pertaining to the leasing and development of all islands, salt water lakes, bays, inlets, marshes and reefs, owned by the State within tidewater limits, and that portion of the Gulf of Mexico within the jurisdiction of Texas, and all unsold public free school land, both surveyed and unsurveyed, in so far as same are not in conflict with the provisions of this Act; providing that development on such lands shall be conducted so far as practicable to prevent

pollution and authorizing the Commissioner of the General Land Office, with the advice and assistance of the Game and Fish Commission, to prescribe and enforce rules and regulations for that purpose; repealing all laws or parts of laws, special or general, to the extent of any conflict herewith; providing a savings clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 558 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 558 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—31

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman

Strauss  
Wagonseller

Weinert  
Willis

#### House Bill 443 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 443, A bill to be entitled "An Act amending Article 1147 of the Penal Code of Texas, 1925, providing when and under what circumstances an assault or battery becomes aggravated; providing for severance of any part of this Act which may be held invalid; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 443 on Third Reading

Senator Latimer moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 443 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock



Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagon seller
Ratliff	Weinert
Roberts	Willis

(Senator Aikin in the Chair.)

#### House Bill 756 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 756, A bill to be entitled "An Act authorizing any city including any city operating under a Home Rule Charter, having outstanding water revenue bonds whose net revenues from its waterworks system for each of the two fiscal years next preceding the date when it avails itself of this law are equal to or exceeds two hundred per cent of the requirements of principal and interest on such outstanding bonds for the year when such requirements are the greatest, to enter into contracts for refunding said outstanding bonds or in aid of such refunding; providing for issuance of additional parity bonds, subject to encumbrance of outstanding revenue bonds not refunded; securing such parity bonds by pledge of revenues and, if deemed advisable, by a mortgage of the physical properties; providing that such city may deposit money with State Treasurer sufficient to pay bonds not refunded, with interest to respective maturity dates; prescribing the duties of State Treasurer as to the use of such deposited funds; providing that the official bond of the State Treasurer shall protect such deposited funds; providing for the approval of such additional bonds by the Attorney General and registration of such bonds in the office of Comptroller of Public Accounts; and prescribing the effect thereof; providing a referendum in certain instances; making this Act cumulative but controlling when inconsistent or in conflict with other laws; providing a severability clause; enacting other provisions relating to this subject; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 756 on Third Reading

Senator Latimer moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 756 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

#### House Bill 869 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 869, A bill to be entitled "An Act prescribing the open season for hunting deer in Newton County during the calendar years 1955 through 1959; providing a penalty

for violation; suspending conflicting laws; and declaring an emergency."

The bill was read the second time.

Senator Lock offered the following amendment to the bill:

Amend House Bill No. 869 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. During the calendar years 1955 and 1956 there shall be an open season from December 25th to December 31st of each year, both dates inclusive, when it shall be lawful to hunt, take or kill buck deer in Jasper and Newton Counties and in Commissioner's Precinct No. 4 of Tyler County; and it shall be unlawful for any person to hunt, take or kill deer in these areas during such years except as herein permitted. Any person violating any provision of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than Ten Dollars (\$10) nor more than Two Hundred Dollars (\$200); and each unlawful act of hunting, taking or killing deer shall constitute a separate offense.

Sec. 2. All laws and parts of laws in conflict herewith are hereby suspended in so far as they are in conflict.

Sec. 3. The importance of this legislation to the proper conservation and utilization of the deer supply in Jasper and Newton Counties creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senator Lock offered the following amendment to the bill:

Amend House Bill No. 869 by striking out all above the enacting clause and substituting in lieu thereof the following:

#### A BILL TO BE ENTITLED

"An Act prescribing the open season for hunting deer in Jasper and Newton Counties and in Commissioner's Precinct No. 4 of Tyler County during the calendar years 1955 and 1956 and providing a penalty for violation; suspending conflicting laws; and declaring an emergency."

The amendment was adopted.

The bill as amended was passed to third reading.

#### House Bill 869 on Third Reading

Senator Lock moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 869 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

#### House Bill 870 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 870, A bill to be entitled "An Act prohibiting the use of seines

and nets in certain waters situated in Jasper and Tyler Counties; making certain exceptions; providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 870 on Third Reading

Senator Lock moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 870 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 877 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 877, A bill to be entitled "An Act creating Newton County Water Supply District; providing for its organization and governing body; prescribing its powers, authority, functions, duties and privileges; providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 877 on Third Reading

Senator Lock moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 877 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman

Strauss  
Wagonseller

Weinert  
Willis

#### House Bill 774 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 774, A bill to be entitled "An Act amending Section 1 of H. B. No. 884, Chapter 393, Acts, Regular Session, 53rd Legislature, extending the season for deer in Wood and Upshur Counties and making it unlawful for any person or persons to hunt with a shotgun loaded with buckshot or slug or with any rifle larger than .22 calibre."

The bill was read second time and was passed to third reading.

#### House Bill 774 on Third Reading

Senator McDonald moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 774 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Calson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin  
McDonald  
Moffett  
Moore  
Owen  
Parkhouse  
Phillips  
Ratliff  
Roberts

Rogers  
of Childress  
Rogers of Travis  
Secrest  
Shireman  
Strauss  
Wagonseller  
Weinert  
Willis

#### House Bill 457 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 457, A bill to be entitled "An Act making it unlawful to kill, or attempt to kill, wild turkey or trap or molest same in Austin and Colorado Counties for a period of five (5) years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 457 on Third Reading

Senator Moore moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 457 be placed on its third reading and final passage.

The motion prevailed by the following vote:

##### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

##### Yeas—31

Aikin	Ashley
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Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

**House Bill 884 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 884, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Anderson County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right-of-way for the designated State highways, including Farm-to-Market highways, of Federal highways when the acquisition of such right-of-way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 884 on Third Reading**

Senator Moore moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 884 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 921 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 921, A bill to be entitled "An Act amending Chapter 541, Acts of the 51st Legislature, by authorizing the issuance of revenue refunding bonds to provide money for the payment of outstanding revenue bonds; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 921 on Third Reading**

Senator Owen moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 921 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Ashley
-------	--------

Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Maffett	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 595 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 595, A bill to be entitled "An Act amending Section 4 of Chapter 125, Acts of the 51st Legislature, Regular Session, 1949, so as to remove the limitation on the period of time for which county hospitals may be leased; and declaring an emergency."

The bill was read the second time.

Senator Owen offered the following amendment to the bill:

Amend House Bill 595 by striking out all below the enacting clause and substituting in lieu thereof, the following:

Section 1. Section 4 of Chapter 125, Acts of the Fifty-first Legislature, Regular Session, 1949 (codified as

Section 4 of Article 4494-1 in Vernon's Texas Civil Statutes), is hereby amended to read as follows:

"Section 4. If no petition is submitted upon the date fixed for such hearing, and the Commissioners Court, after holding the hearing, finds that due notice has been given, no petition has been filed, and that the proposed leasing of such hospital would be for the best interests and benefit of the county, then such Court may make and cause to be entered upon its minutes an order directing that such county hospital shall be leased. Such Court shall thereupon be fully authorized and empowered to lease such county hospital to be operated as a hospital by the lessee of same under such terms and conditions as may be satisfactory to the Commissioners Court and the lessee. The action of the Commissioners Court in leasing such hospital shall be evidenced by an order duly entered, which order shall contain a complete copy of the lease contract and shall be recorded in the minutes of the Court."

Provided, however, if a petition signed by 50 qualified, property tax-paying voters of the county is filed with the Commissioners Court in writing to submit to a referendum vote the question as to whether or not the county hospital shall be leased or shall be continued under county operation, then such Commissioners Court shall not be authorized to lease such hospital for a period in excess of 5 years and shall not finally lease the same for a period in excess of 5 years unless the proposition to lease such hospital is sustained by a majority of votes cast at said election.

Sec. 2. The fact that the present restriction on the lease period hampers the leasing of county hospitals and the further fact that many counties could be provided with better hospital facilities if this restriction were removed create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

On motion of Senator Owen and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

### House Bill 595 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 595 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

### House Bill 832 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 832, A bill to be entitled "An Act amending Article 7.14, Chapter 7, Revised Civil Statutes,

Election Code of the State of Texas, as amended, providing for the transporting of voting machines within a county without the necessity of a certificate of convenience as required by Article 911b, Section 5a, Title 25 of Revised Civil Statutes of Texas and exempting such transportation from Article 1690b (a) of the Penal Code of Texas, repealing all laws in conflict therewith and creating an emergency."

The bill was read second time and was passed to third reading.

### House Bill 832 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 832 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—31

Aikin	Lane
Ashley	Latimer
Bracewell	Lock
Colson	Martin
Corbin	McDonald
Fly	Moffett
Fuller	Moore
Hardeman	Owen
Hazlewood	Parkhouse
Kazen	Phillips
Kelley	Ratliff

Roberts	Shireman
Rogers	Strauss
of Childress	Wagon seller
Rogers of Travis	Weinert
Secrest	Willis

(Senator Hardeman in the Chair.)

#### House Bill 938 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 938, Local road law for Dallas County, with reference to the amount to be collected by the Tax Collector of Dallas County from the owners of Trucks, Trailers, Semi-trailers, Motor Buses, and Street or Suburban Buses.

The bill was read the second time.

Senator Parkhouse offered the following amendment to the bill:

Amend H. B. 938 by striking out all of Section 2 thereof, and inserting in lieu thereof the following:

Section 2. The fact that the County's need for additional right of way is urgent creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

#### House Bill 938 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 938 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bracewell	Fly

Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kazen	Roberts
Keiley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagon seller
Moore	Weinert
Owen	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

#### House Bill 882 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 882, A bill to be entitled "An Act providing for the election of school trustees by separate positions in certain independent school districts; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 882 on Third Reading

Senator Phillips moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 882 be placed on its third reading and final passage.

The motion prevailed by the following vote:



## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 554 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 554, A bill to be entitled "An Act amending Chapter 304, Acts, 50th Leg., R. S., 1947, as amended; including within the provisions thereof projects as therein defined extending from counties issuing bonds into other counties and making provisions relating thereto; providing certain additions and changes and repealing certain provisions relating to projects as therein defined; providing a severability clause; repealing laws and parts of laws in conflict therewith; and declaring an emergency."

The bill was read the second time.

Senator Phillips offered the following committee amendment to the bill:

Amend H. B. 554 by adding a new sentence at the end of "Section 1" reading as follows:

"No funds raised or to be raised by taxation in any county shall be expended on any such project extending between two counties unless the Commissioners' Court of such county is authorized to expend such funds by a vote of the electors qualified to vote at an election called by the Commissioners' Court for such purpose. Notice of such election shall be published once a week for two consecutive weeks in a newspaper of general circulation in said county, the first publication to be not less than 15 days prior to the date of said election."

The amendment was adopted.

Senator Fly offered the following amendment to the bill:

Amend H. B. 554 by striking out the words and figures in Subsection 1 of Section 1 which reads as follows: "fifty thousand (50,000)" and insert in lieu thereof the following words and figures: "eight thousand (8,000)."

The amendment was adopted.

On motion of Senator Phillips and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

**House Bill 554 on Third Reading**

Senator Phillips moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 554 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Kelley
Ashley	Lane
Bracewell	Latimer
Colson	Lock
Corbin	Martin
Fly	McDonald
Fuller	Moffett
Hardeman	Moore
Hazlewood	Owen
Kazen	Parkhouse

Phillips	Secrest
Ratliff	Shireman
Roberts	Strauss
Rogers	Wagonseller
of Childress	Weinert
Rogers of Travis	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 910 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 910, A bill to be entitled "An Act relating to marks and brands of livestock in Brazoria County; requiring owners of livestock to record their marks and brands within six months after this Act takes effect; providing that records of marks and brands now in existence shall no longer have any force and only the records made after this Act takes effect shall be examined or considered after the expiration of six months; providing for publication of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 910 on Third Reading**

Senator Phillips moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 910 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 662 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 662, A bill to be entitled "An Act defining shellfish; regulating the sale thereof; providing penalties; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 662 on Third Reading**

Senator Phillips moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 662 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

## House Bill 874 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. 874, A bill to be entitled "An Act authorizing certain rural high school districts to appoint a collector of taxes; providing for his duties, compensation, and bond; stating the effect of this Act on other laws; providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 874 on Third Reading

Senator Phillips moved that Sen-

ate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 874 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

## House Bill 911 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 911, A bill to be entitled "An Act amending House Bill No. 407, Acts of the 54th Legislature, Regular Session, 1954, which created the West Central Texas Municipal Water District, by adding a section providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 911 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 911 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 816 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 816, A bill to be entitled "An Act providing that a portion of the Sabine River from its source to

its juncture with the east boundary line of Hunt County shall hereafter be deemed a non-navigable stream insofar as hunting and fishing rights on and along said stream are concerned; providing that whatever title the State of Texas may have to the bed or waters of said stream shall not be divested hereby; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 816 on Third Reading

Senator Roberts moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 816 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

#### Yeas—31

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman

Strauss                      Weinert  
Wagonseller                Willis

#### House Bill 414 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 414, A bill to be entitled "An Act to amend Section 63 of the Election Code of the State of Texas, as enacted by Chapter 492, Acts of the 52nd Legislature, 1951 and codified as Article 6.07 of the Election Code in Vernon's Civil Statutes so as to allow the Secretary of State to contract with any statewide association of daily and weekly newspapers in Texas for publication of constitutional amendments; containing a severability clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 414 on Third Reading

Senator Rogers of Childress moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 414 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Colson
Ashley	Corbin
Bracewell	Fly

Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kazen	Roberts
Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagonseller
Moore	Weinert
Owen	Willis

#### House Bill 571 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 571, A bill to be entitled "An Act constituting a local law for the maintenance of the Public Roads and Highways in Hale County by authorizing the county to issue certificates of indebtedness for the purpose of acquiring right of way for designated State Highways or Federal Highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring said certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

The bill was read the second time.

Senator Rogers of Childress offered the following amendment to the bill:

Amend House Bill 571, Section 3, by inserting the following sentence between the first and second sentences as now contained in said section:

"The order authorizing the issuance of such certificates may provide that the county shall have the option of calling the certificates (upon such conditions as deemed advisable by the Commissioners' Court) for redemption on any interest payment date after five years from the date of such certificates."

The amendment was adopted.

On motion of Senator Rogers of Childress and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

**House Bill 571 on Third Reading**

Senator Rogers of Childress moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 571 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 896 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 896, A bill to be entitled "An Act relating to fishing in Milam County; amending Section 1 of Chapter 175, Acts of the 51st Legislature,

Regular Session, 1949, so as to legalize the use of gill nets in Milam County; providing the effect of this Act on other laws; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 896 on Third Reading**

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 896 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 888 on Second Reading**

The Presiding Officer laid before

the Senate on its second reading and passage to third reading:

H. B. No. 888, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59, of the Constitution of Texas, comprising certain territory contained within Bell County, Texas; etc.; and declaring an emergency."

The bill was read second time.

Senator Secrest offered the following amendment to the bill:

Amend H. B. 888, Section 9, by changing the words and figures "Ten Thousand (\$10,000.00) Dollars" to "Two Thousand (\$2,000.00) Dollars."

The amendment was adopted.

Senator Secrest offered the following amendment to the bill:

Amend H. B. 888 by striking out the last three words in Section 21 and placing a period after the word "district."

The amendment was adopted.

On motion of Senator Secrest, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

#### House Bill 888 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 888 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Ashley	McDonald
Bracewell	Moffett
Colson	Moore
Corbin	Owen
Fly	Parkhouse
Fuller	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers
Kelley	of Childress
Lane	Rogers of Travis
Latimer	Secrest
Lock	Shireman

Strauss	Weinert
Wagonseller	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 909 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 909, A bill to be entitled "An Act prohibiting peddling or use of finger alphabet cards or printed matter stating that the person is deaf, under certain circumstances; providing a penalty for violation; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 909 on Third Reading

Senator Shireman moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 909 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 743 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 743, A bill to be entitled "An Act authorizing the sale with reservation of minerals of certain state-owned lands in Nueces County to either the City of Corpus Christi or Nueces County; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 743 on Third Reading

Senator Shireman moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 743 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Ashley
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Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Bill 263 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 263, A bill to be entitled "An Act amending Article 4594 of the Revised Civil Statutes of Texas of 1925 to provide a lien in favor of hotels, boarding houses, rooming houses, inns, tourist courts, and motels on guests' properties for all sums due from such guests; providing for retention of possession of such properties; providing for exemption from attachment and execution during such retention of possession; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 263 on Third Reading

Senator Shireman moved that Sen-



ate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 263 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

## House Bill 575 Laid on Table

On motion of Senator Wagonseller, and by unanimous consent, H. B. No. 575 was Laid on the Table.

## House Bill 886 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 886, A bill to be entitled "An Act removing the closed season

on wild pheasants (including Mexican pheasants) in Frio and La Salle Counties but continuing in effect the general law prescribing the bag limit on the number of pheasants which may be taken, killed, or possessed; and declaring an emergency."

The bill was read second time and was passed to third reading.

## House Bill 886 on Third Reading

Senator Weinert moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 886 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 889 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 889, A bill to be entitled "An Act creating a Conservation District under Article XVI, Section 59 of the Constitution comprising certain territory lying within the Counties of Atascosa and Frio, Texas, for the purpose of flood control and preservation of land and soil and the fertility thereof; etc.; and declaring an emergency.

The bill was read second time and was passed to third reading.

**House Bill 889 on Third Reading**

Senator Weinert moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 889 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

**Committee Substitute  
House Bill 375 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

C. S. H. B. No. 375, A bill to be entitled "An Act amending Chapter 80, Section 5, General Laws of the 36th Legislature, Second Called Session, 1919, as amended, by adding Section 5a to provide for the appointment of a Chief Probation and Parole Officer, if such an officer has not been assigned to a court and/or district in Tarrant County as provided by Chapter 452, Acts of the 50th Legislature, 1947; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

**Committee Substitute  
House Bill 375 on Third Reading**

Senator Willis moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that C. S. H. B. No. 375 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

## House Concurrent Resolution 49 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 49, Granting permission to Mrs. Addie Wright to sue the State.

The resolution was read second time and was adopted by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

## House Concurrent Resolution 46 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 46, Granting permission to Andrews Gas Company to sue the State of Texas.

The resolution was read the second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 46 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Andrews Gas Company in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 46 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Andrews Gas Company, all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 46 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas the Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was adopted by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagon seller
Martin	Weinert
McDonald	Willis

## House Concurrent Resolution 88 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 88, Granting B & H

Warehouse, Inc. permission to sue the State of Texas.

The resolution was read second time and was adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Concurrent Resolution 51 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 51, Granting permission to Sohio Petroleum Company to sue the State of Texas.

The resolution was read the second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 51 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Sohio Petroleum Company in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 51 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Sohio Petroleum Company all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increases."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 51 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas the Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### House Concurrent Resolution 108 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 108, Granting Franklin V. Keith permission to sue the State of Texas and the Texas Highway Commission.

The resolution was read second time and was adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Concurrent Resolution 78 on Second Reading**

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 78, Granting The Dow Chemical Company permission to sue the State of Texas.

The resolution was read the second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 78 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid The Dow Chemical Company in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 78 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by The Dow Chemical Company all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 78 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas the Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was adopted by the following vote:

Yeas—31

Aikin	Kazen
Ashley	Kelley
Bracewell	Lane
Colson	Latimer
Corbin	Lock
Fly	Martin
Fuller	McDonald
Hazlewood	Moffett
Hardeman	Moore

Owen	Rogers of Travis
Parkhouse	Secrest
Phillips	Shireman
Ratliff	Strauss
Roberts	Wagonseller
Rogers	Weinert
of Childress	Willis

**House Concurrent Resolution 61 on Second Reading**

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 61, Granting permission to Bryce McCandless to sue the State of Texas.

The resolution was read second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 61 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Bryce McCandless in the event a final judgment is obtained by him for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 61 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by Bryce McCandless, all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 61 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was adopted by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Concurrent Resolution 45 on  
Second Reading**

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 45, Granting permission to Coleman Gas & Oil Co. or its successor, Coleman Gas Company, to bring suit against the State of Texas.

The resolution was read second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 45 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Coleman Gas & Oil Company in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 45 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Coleman Gas & Oil Company all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 45 by adding a

new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was adopted by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Concurrent Resolution 85 on  
Second Reading**

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 85, Granting Natural Gas Distributing Corp. permission to sue the State of Texas.

The resolution was read second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 85 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Natural Gas Distributing Corporation in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 85 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Natural Gas Distributing Corporation all increases in rates obtained on the basis of taxes paid

under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 85 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was then adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Concurrent Resolution 86 on  
Second Reading**

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 86, Granting Sam Sklar, Trustee, permission to sue the State of Texas.

The resolution was read second time.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. No. 86 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Sam Sklar, Trustee, in the event a final judgment is obtained by him for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 86 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by Sam Sklar, Trustee, all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend H. C. R. 86 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was then adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 912 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 912, A bill to be entitled "An Act to regulate the use of the Great Seal of Texas so as to prohibit the use thereof for advertising or any unofficial use except as is provided in this Act; providing a penalty therefor; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 912 on Third Reading**

Senator Aikin moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 912 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**Senate Bill 409 Laid on the Table**

On motion of Senator Aikin, and by unanimous consent, S. B. No. 409 was Laid on the Table.

**Senate Bill 277 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 277, A bill to be entitled "An Act authorizing the Daughters of the Confederacy and the Daughters of the Republic to charge admission fees and to maintain and operate concession stands in all State property under the custody and control of such organizations; providing that money obtained from the admission fees and the operation of concessions shall be used for the maintenance and repair of the State property under the custody and control of such organizations; providing for a repealing clause; and declaring an emergency."

The bill was read second time.

Senator Bracewell offered the following amendment to the bill:

Amend Senate Bill 277 by inserting after the words "state property" in Section 1 thereof the following: "and furnishings"

The amendment was adopted.

Senator Bracewell offered the following amendment to the bill:

Amend S. B. 277 by inserting after the word "control" on line 23 of the printed bill the words:

"Except the Alamo."

The amendment was adopted.

On motion of Senator Bracewell and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

**Senate Bill 277 on Third Reading**

Senator Bracewell moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 277 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Hazlewood
Ashley	Hardeman
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock



Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**House Bill 935 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 935, A bill to be entitled "An Act authorizing the commissioners' court of certain counties to expend county funds for the purpose of making surveys of water resources, upon approval of such expenditure at an election; providing for the election; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 935 on Third Reading**

Senator Fly moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 935 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—31

Aikin	Ashley
-------	--------

Bracewell	Moore
Colson	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hazlewood	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Weinert
Moffett	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

## Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**Senate Bill 425 Laid on the Table**

On motion of Senator Fly and by unanimous consent, S. B. No. 425 was Laid on the Table.

**Senate Bill 421 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 421, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools, acting through its Executive Director, to execute and deliver an instrument granting an easement in certain lands to the San Antonio River Authority for certain purposes upon certain conditions and covenants; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 421 on Third Reading**

Senator Latimer moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 421 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hazlewood	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**Senate Bill 433 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 433, A bill to be entitled "An Act closing the deer season in Commissioners Precinct No. 4 of Burleson County for a period of five years; providing a penalty for violation of the Act; suspending con-

flicting laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Senate Bill 433 on Third Reading**

Senator Moore moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 433 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**Senate Bill 401 on Second Reading**

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 401, A bill to be entitled

"An Act providing for continuation of the office of county superintendent of public instruction where it exists in counties having a scholastic population of less than 1700, but more than 1685, unless abolished by vote of qualified property taxpaying voters of the county at an election called upon petition of qualified voters; providing the effective date of such abolishment; repealing conflicting laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 401 on Third Reading

Senator Wagonseller moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 401 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Lock
Ashley	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Moore
Fly	Owen
Fuller	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Kazen	Roberts
Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis

Secrest	Wagonseller
Shireman	Weinert
Strauss	Willis

#### House Bill 577 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 577, A bill to be entitled "An Act requiring slaughterers of livestock to maintain records on livestock purchased or slaughtered by them, defining certain terms; prescribing an offense and fixing the penalty therefor; declaring the effect of this Act on other laws; and declaring an emergency."

The bill was read the second time.

Senator Rogers of Childress offered the following amendment to the bill:

Amend House Bill 577, Section 2, in line two after the word "record" and before the word "of," insert the following:

"in a bound volume"

The amendment was adopted.

Senator Rogers of Childress offered the following amendment to the bill:

Amend House Bill 577, Section 1, by striking out the words therein "either for himself as an incident to the processing, packing, or marketing of meats, or for others" and inserting in lieu thereof the words: "and owning or operating a locker plant or plants and leasing, renting or furnishing space therein to others, for profit"

The amendment was adopted.

Senator Rogers of Childress offered the following amendment to the bill:

Amend House Bill No. 577, Section 1, lines 9 and 10, by striking out the words: "sheep, goats, swine, horses, or mules."

The amendment was adopted.

On motion of Senator Rogers of Childress and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to third reading.

#### House Bill 577 on Third Reading

Senator Rogers of Childress moved that Senate Rule 32 and the constitu-

tional rule requiring bills to be read of three several days be suspended and that H. B. No. 577 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**Senate Concurrent Resolution 57 on Second Reading**

The Presiding Officer laid before the Senate on its second reading:

S. C. R. No. 57, Granting Southern Gas Company permission to sue the State of Texas.

The resolution was read the second time.

Senator Lane offered the following amendment to the resolution:

Amend S. C. R. No. 57 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Southern Gas Company in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend S. C. R. No. 57 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Southern Gas Company all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator Lane offered the following amendment to the resolution:

Amend S. C. R. No. 57 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution as amended was adopted by the following vote:

**Yeas—31**

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

**Senate Concurrent Resolution 53 on Second Reading**

The Presiding Officer laid before the Senate on its second reading:

S. C. R. No. 53, Granting Etexas Gas Producers Company permission to sue the State of Texas.

The resolution was read the second time.

Senator McDonald offered the following amendment to the resolution:

Amend S. C. R. No. 53 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Etexas Gas Producers Co. in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator McDonald offered the following amendment to the resolution:

Amend S. C. R. No. 53 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Etexas Gas Producers Co. all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator McDonald offered the following amendment to the resolution:

Amend S. C. R. No. 53 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution as amended was then adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

# Senate Concurrent Resolution 64 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

S. C. R. No. 64, Granting Zephyr Oil Company permission to sue the State of Texas.

The resolution was read second time.

Senator McDonald offered the following amendment to the resolution:

Amend S. C. R. No. 64 by adding a new resolving clause as follows:

"Resolved, That no interest shall be paid Zephyr Oil Company in the event a final judgment is obtained by it for recovery of taxes paid under H. B. 285, 52nd Leg."

The amendment was adopted.

Senator McDonald offered the following amendment to the resolution:

Amend S. C. R. 64 by adding the following to the resolving clause:

"Provided if a final judgment is obtained by the Zephyr Oil Company all increases in rates obtained on the basis of taxes paid under H. B. 285, Regular Session, 52nd Legislature, shall be refunded in full to all those having paid such rate increase."

The amendment was adopted.

Senator McDonald offered the following amendment to the resolution:

Amend S. C. R. 64 by adding a new "whereas" clause just before the resolving clause to read as follows:

"Whereas, The Attorney General of this State is requested to have the questions of law involved finally settled in the Supreme Court of Texas."

The amendment was adopted.

The resolution, as amended, was then adopted by the following vote:

Yeas—31

Aikin	Hardeman
Ashley	Hazlewood
Bracewell	Kazen
Colson	Kelley
Corbin	Lane
Fly	Latimer
Fuller	Lock

Martin	Rogers
McDonald	of Childress
Moffett	Rogers of Travis
Moore	Secrest
Owen	Shireman
Parkhouse	Strauss
Phillips	Wagonseller
Ratliff	Weinert
Roberts	Willis

#### Senate Concurrent Resolution 62 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

S. C. R. No. 62, Granting Magnolia Petroleum Company permission to sue the State of Texas.

The resolution was read second time and was adopted by the following vote:

Yeas—31

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### Conclusion of Local and Uncontested Bill Calendar Session

The Presiding Officer announced the conclusion of the session for the consideration of the Local and Uncontested Bill Calendar.

#### At Ease

The Presiding Officer at 11:28 o'clock a. m., announced the Senate would stand At Ease until 11:45 o'clock a. m. today.

#### In Legislative Session

The President called the Senate to order as in Legislative Session at 11:45 o'clock a. m. today.

#### Leave of Absence

Senator Shireman was granted leave of absence for the remainder

of the day on account of important business on motion of Senator Kazen.

#### Message from the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,  
May 9, 1955.

To the Senate of the Fifty-fourth Legislature.

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Members of the San Jacinto State Park Commission for terms to expire May 23, 1957: Miss Mary Tod of Houston, Harris County; W. T. Kendall, Jr., of Houston, Harris County; Charles E. Gilbert, Jr., of Houston, Harris County.

To be Members of the State Parks Board for terms to expire May 15, 1961: Frank D. Quinn of Austin, Travis County; Wendell Mayes of Brownwood, Brown County.

To be Members of the State Board of Pharmacy for six year terms to expire June 14, 1961: Lee T. Stinson of Snyder, Scurry County; Frank Reese of Houston, Harris County.

To be Rio Grande Compact Commissioner for two year term to expire July 16, 1957: Louis A. Scott of El Paso, El Paso County.

To be Branch Pilot for Port Aransas Bar, Corpus Christi Bay and Tributaries for term to expire April 1, 1957: Carl Joseph Bromley of Nueces County.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### Reports of Standing Committees

Senator Kelley, by unanimous consent, submitted the following reports:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 20, have had the same under consideration, and we are instructed to report it back to

the Senate with the recommendation that it do pass, as amended, and be not printed.

KELLEY, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 63, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 775, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 940, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 862, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KELLEY, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water Rights, Irrigation and Drainage, to whom was referred H. B. No. 913, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KELLEY, Chairman.

Senator Strauss, by unanimous consent, submitted the following report:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred H. J. R. No. 30, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

STRAUSS, Chairman.

Senator Lock, by unanimous consent, submitted the following report:

Austin, Texas,  
May 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred H. B. No. 396, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LOCK, Vice Chairman.

Senator Rogers of Childress, by unanimous consent, submitted the following report:

Austin, Texas,  
May 9, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred H. B. No. 841, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS of Childress, Chairman.

Senator Kazen, by unanimous consent, submitted the following report:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 65, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

KAZEN, Chairman.

Senator Lane, by unanimous consent, submitted the following reports:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 126, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 90, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 97, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senator Hardeman, by unanimous consent, submitted the following reports:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 341, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 508, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

#### Senate Resolution 335

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mr. Harry Joiner, prominent citizen of Wichita Falls, Texas; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

#### House Bill 876 on Second Reading

On motion of Senator Weinert, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 876, A bill to be entitled "An Act to amend Section 1 of House Bill No. 267, Acts 1953, 53rd Legislature, Regular Session, being Chapter 120 of the General and Special Laws, 1953, as amended so as to include Blanco County in the provisions thereof; providing for the effective date and duration of this Act; and declaring an emergency."

The bill was read second time.

Senator Weinert offered the following amendment to the bill:

Amend H. B. No. 876 by omitting McCulloch County from the provisions of the bill.



The amendment was adopted.

Senator Weinert offered the following amendment to the bill:

Amend the caption of H. B. No. 876 by striking out "McCulloch County."

The amendment was adopted.

The bill, as amended, was passed to third reading.

#### Record of Vote

Senator Hardeman asked to be recorder as voting "nay" on the passage of H. B. No. 876 to third reading.

#### House Bill 876 on Third Reading

Senator Weinert moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 876 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
Moffett	

#### Nays—1

Hardeman

Absent

McDonald

Absent—Excused

Shireman

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—25

Aikin	Bracewell
Ashley	Colson

Corbin	Owen
Fuller	Parkhouse
Hazlewood	Phillips
Kazen	Ratliff
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
Moffett	Willis
Moore	

#### Nays—4

Fly	Roberts
Hardeman	Rogers
	of Childress

Absent

McDonald

Absent—Excused

Shireman

#### Motion Not to Print House Bill 20

Senator Parkhouse asked unanimous consent that H. B. No. 20 be ordered not printed.

There was objection.

#### Conference Committee Report on House Bill 368

Senator Kelley submitted the following Conference Committee Report on H. B. No. 368:

Austin, Texas,  
May 4, 1955.

The Hon. Ben Ramsey, President of the Senate.

The Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 368, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SPILMAN  
McDONALD  
BRYAN  
CORY  
JAMISON,

On the part of the House.

KELLEY  
STRAUSS  
KAZEN  
MOFFETT  
MOORE,

On the part of the Senate.

H. B. No. 368:

A BILL  
TO BE ENTITLED

"An Act amending Section 2 and Section 10 of Acts, 1939, Forty-sixth Legislature, page 33, as amended, Acts, 1953, Fifty-third Legislature, page 69, Chapter 51, Section 1, by adding to each of said Sections a clause permitting the Commissioner of Agriculture of the State of Texas to enter into a Co-operative Agreement, for the purposes set forth therein, with any Texas firm, corporation or association organized for that purpose (which firms, corporations, and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commissioner of Agriculture) and/or the United States Department of Agriculture; and by providing in Section 10 that the contribution for any inspection hereunder shall not exceed the actual cost thereof; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 2 and Section 10 of Acts, 1939, Forty-sixth Legislature, page 33, as amended, Acts, 1953, Fifty-third Legislature, page 69, Chapter 51, Section 1, be amended to hereafter read as follows:

"Section 2. For the purposes of this Act the following terms, when used in this Act, or the rules, regulations and orders made pursuant thereto, shall be construed, respectively, to mean:

"'Commissioner': The Commissioner of Agriculture of the State of Texas.

"'Co-operative Agreement': That certain agreement in regard to shipping point inspection service, effective October 1, 1931, made by and between the Texas Department of Agriculture and the Bureau of Agricultural Economics, United States Department of Agriculture, and all amendments thereto, or any additional and/or supplementary agreements hereafter made by and between the Texas Department of Agriculture and any Texas firm, corporation or association organized for that purpose (which firms, corporations, and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commis-

sioner of Agriculture) and/or the Bureau of Agricultural Economics of the United States Department of Agriculture, said agreements being duly authorized by Public Statute Number 717, of the Seventy-first Congress.

"'Inspector,' 'Agent,' or 'Employee': Any employee of the Department of Agriculture of the State of Texas and/or the Department of Agriculture of the United States of America and/or of the Inspection Service of the Federal Bureau of Agricultural Economics duly authorized by either of the agencies aforesaid to inspect, grade, or certify for shipment, tomatoes within the State of Texas.

"'Ship': The transportation of tomatoes by rail, water, automobile, truck, trailer, or any other vehicle.

"'Grade,' 'Standard,' 'Classification': The grades, standards, and classifications as to size, pack and marking of tomatoes adopted and promulgated by the Department of Agriculture of the United States of America and such other and different grades, standards, and classifications as the Commissioner may adopt which are not directly in conflict therewith.

"'Co-operative Financing Plan': That system of collecting and financing the expenses and requirements of inspection set out in and made a part of the Co-operative Agreement; it being specifically provided that this Act shall be self-financing and that no appropriation shall be made by the Legislature of the State of Texas for the enforcement thereof.

"'Dealer' and 'Shipper': Any person, firm, partnership, corporation or association of persons packing and/or delivering for transportation to any transporting medium tomatoes in commercial quantities as the term 'commercial quantities' is hereinafter defined.

"'Commercial Quantities': More than five hundred (500) pounds of tomatoes packed and/or shipped and/or sold for packing and/or shipment.

"'Notice': Any notice provided for in this Act to be given to any person, firm, or partnership, corporation, or association of persons shall be in writing, unless hereinafter otherwise specifically provided.

"'Person': When used herein, shall be construed to mean any individual, firm, partnership, corporation, or association of persons.

"'Inspection Certificate': The joint Federal-State Inspection Certificate, as provided in Section 'C' of para-

graph 9, of the Co-operative Agreement.

"'Deceptive Pack': Any container or subcontainer of tomatoes used within this State having imprinted, inscribed or otherwise placed thereon any marking designating any grade, standard, count, arrangement, and/or pack which does not truly represent the grade, standard and count, arrangement, and/or pack therein contained."

"Section 10. It is provided that this law shall be self-financing and that the Legislature shall make no appropriation for the enforcement thereof; the Commissioner of Agriculture is hereby authorized and empowered to enter into agreements with any Texas firm, corporation or association organized for that purpose (which firms, corporations, and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commissioner of Agriculture) and/or the United States Department of Agriculture relative to the amounts of contributions to be received from dealers and shippers for inspecting and grading services under the terms and provisions of this Act; it is further provided that the Commissioner may, in his discretion, adopt rules and regulations relating to such inspection contributions which will, in effect, adopt the financing plan provided under the Co-operative Agreement, provided that the contribution shall be fixed as nearly as possible with reference to the cost of maintaining the expenses of inspection and grading tomatoes under the Co-operative Agreement; the amount of contribution for each different service of an inspection and grading rendered may be different, but in no event shall the contribution for inspection of tomatoes exceed the actual cost of the service for inspection or grading service rendered in a regular packing house, or at a regular loading point, it is specifically provided that any regular inspection or grading service made or performed at a point distant from a packing shed or loading point, shall be for an amount sufficient to cover the actual cost of such inspection and/or grading service; all contributions for inspection or grading services rendered shall be paid and delivered to the inspector by the person packing or making the shipment prior to the delivery of the certificates of inspection; whenever any person so packing and/or shipping tomatoes fails or refuses to

pay the contribution prescribed for the services rendered, the inspector shall withhold delivery of the inspection certificate until the prescribed contribution is paid; no inspector, agent, or employee shall charge or collect a greater amount than the prescribed contribution for the services rendered, or an amount sufficient to cover the actual cost of such inspection and/or grading service, whichever is the lesser; and all moneys contributed for services of inspection and/or grading under the terms and provisions of this Act shall be handled and disbursed under the terms of the Co-operative Agreement; the State Auditor of any State in which this Act is operative shall have access to the financial records, books, vouchers and reports of the chief inspector at all times, and shall have the authority to make an audit of such books, when, in his judgment, an audit shall be deemed wise, and, upon written request of the Commissioner, said State Auditor shall audit and make a report in writing to the Commissioner regarding the fiscal affairs of the contribution account."

Sec. 2. The fact that tomato shipments are being made from Texas each day without being properly inspected creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended; and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

#### Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
McDonald	Willis
Moffett	

#### Nays—1

Martin

**Absent**

Hazlewood

**Absent—Excused**

Shireman

**Senate Resolution 336**

Senator Willis offered the following resolution:

Whereas, We are honored today to have in the gallery seventeen students of the 8th Grade Class of Bedford School, Tarrant County, Texas, accompanied by their teachers, Mr. J. E. Waller and Mrs. Fay Aderholt; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Willis, by unanimous consent, presented the students and Mr. Waller and Mrs. Aderholt to the Members of the Senate.

**Conference Committee Report on  
House Bill 366**

Senator Kelley submitted the following Conference Committee report on H. B. No. 366:

Austin, Texas,  
May 4, 1955.

The Hon. Ben Ramsey, President of the Senate.

The Honorable Jim Lindsey, Speaker of the House.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on House Bill No. 366, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

SPILMAN  
McDONALD  
BRYAN

CORY  
JAMISON

On the part of the House.

KELLEY  
STRAUSS  
KAZEN  
MOFFETT  
MOORE

On the part of the Senate.

H. B. No. 366:

**A BILL  
TO BE ENTITLED**

"An Act amending Section 3, Article 117, of the Revised Civil Statutes of Texas, 1925, as amended, by adding thereto a clause permitting the Commissioner of Agriculture of the State of Texas to enter into a cooperative agreement, for the purposes set forth therein, with any Texas firm, corporation or association organized for that purpose (which firms, corporations and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commissioner of Agriculture) and/or the United States Department of Agriculture, and declaring an emergency."

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:**

Section 1. That Section 3, Article 117, of the Revised Civil Statutes of Texas, 1925, as amended, be amended by providing that Section 3 shall hereafter read as follows:

"Section 3. The Commissioner of Agriculture is directed and empowered to enter into cooperative agreements with any Texas firm, corporation or association organized for that purpose (which firms, corporations and associations, and all inspectors shall be licensed in accordance with standards and rules prescribed by the Commissioner of Agriculture) and/or the United States Department of Agriculture, for the certification of grades of fruits other than citrus and/or vegetables other than potatoes, and he may adopt the United States Standards for all fruits and/or vegetables grown in the State of Texas in addition to the grades specified in this Act, or he may promulgate additional grades, grading rules, and regulations for fruits other than citrus, and/or vegetables other than potatoes."

Section 2. The fact that many shipments of fruits and/or vegetables are being made from Texas each day

without being properly inspected creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

## Yeas—26

Aikin	McDonald
Ashley	Moffett
Bracewell	Moore
Colson	Parkhouse
Corbin	Ratliff
Fly	Roberts
Fuller	Rogers
Hardeman	of Childress
Hazlewood	Rogers of Travis
Kazen	Secrest
Kelley	Strauss
Lane	Weinert
Latimer	Willis
Lock	

## Nays—1

Martin

## Absent

Owen	Wagonseller
Phillips	

## Absent—Excused

Shireman

**House Concurrent Resolution 126  
Ordered Not Printed**

On motion of Senator Hardeman and by unanimous consent, H. C. R. No. 126 was ordered not printed.

**Privileges of Floor Extended to  
Members of Colonel Francis  
M. Weatherred Family**

On motion of Senator Martin and by unanimous consent, the privileges of the floor were extended to the Members of the Colonel Francis M. Weatherred family present for the presentation of his portrait to the Senate at 2:00 o'clock p. m. today.

**House Concurrent Resolution 90  
Ordered Not Printed**

On motion of Senator Willis and by unanimous consent, H. C. R. No. 90 was ordered not printed.

**Bills and Resolutions Signed**

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 385, A bill to be entitled "An Act creating a conservation district under Article XVI, Section 59, of the Constitution comprising the territory of San Augustine County, Texas, to be known as 'San Augustine Water Authority,' for the purpose of providing a source of water supply for agricultural, municipal, domestic and industrial use and processing, transporting and distributing the same; providing for a Board of Directors for the government of said Authority; authorizing the Authority to do all things necessary to the exercise of the powers herein granted; authorizing the issuance of bonds and providing for payment and security thereof; making applicable to the District Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and certain general laws relating to water control and improvement districts prescribing the other powers of the Authority; providing a saving clause; enacting other provisions relating to this subject; and declaring an emergency."

S. B. No. 28, A bill to be entitled "An Act making it unlawful to break and enter into a coin-operated machine, or to work or manipulate the machinery of any coin-operated machine, with the intent to commit theft of any personal property from said machine, or for the purpose of obtaining any service through the instrumentality of such machine; creating a felony offense, prescribing the punishment and defining certain terms; and declaring an emergency."

S. B. No. 295, A bill to be entitled "An Act authorizing and directing the Commissioner of the General Land Office for the State of Texas to sell Public Free School Land situated in El Paso County, Texas, to the City of El Paso, Texas."

S. B. No. 311, A bill to be entitled "An Act creating the office of Commissioner of Health and abolishing the office of State Health Officer; defining duties; repealing conflicting laws; and declaring an emergency."

S. C. R. No. 50, Granting H. A. McKnight, et al. permission to sue the State of Texas.

S. C. R. No. 52, Recommending that Congress accelerate the program for the Pan-American Highway System.

S. B. No. 395, A bill to be entitled "An Act establishing as permanent District Courts, the Special 37th District Court and the Special Criminal District Court of Bexar County, etc., and declaring an emergency."

S. B. No. 127, A bill to be entitled "An Act establishing as a permanent District Court the Special Criminal District Court of Dallas County, etc.; and declaring an emergency."

S. B. No. 273, A bill to be entitled "An Act abolishing the Special Ninth Judicial District Court of Texas, composed of Montgomery, Polk, San Jacinto and Trinity Counties; providing for the creation of a permanent Judicial District Court to be known as the Second Ninth Judicial District Court of Texas, composed of Montgomery, Polk, San Jacinto and Trinity Counties; etc.; and declaring an emergency."

#### Recess

On motion of Senator Hardeman the Senate at 12:10 o'clock p. m. took recess until 2:00 o'clock p. m. today.

#### After Recess

The President called the Senate to order at 2:00 o'clock p. m. today.

#### Leave of Absence

Senator Colson was granted leave of absence for today on account of important business on motion of Senator Aikin.

#### Presentation of Portrait of Colonel Francis M. Weatherred

The President announced the time had arrived for the presentation of the portrait of Colonel Francis M. Weatherred to the Senate as provided for in Senate Resolution 215 adopted by the Regular Session of the Fifty-fourth Legislature.

Senators Martin, McDonald and Kazen were appointed to escort General Preston Weatherred of Dallas, great-grandson of Colonel Weatherred, and Mrs. Rhoda McClusky Andrews of Waco, great-granddaughter of Colonel Weatherred, to the President's rostrum.

The President presented Senator Martin and he introduced General Preston Weatherred to the Senate.

General Weatherred addressed the Senate as follows:

Governor Shivers, Governor Ramsey, Members of the Senate of Texas—Descendants of Colonel Francis Marcus Weatherred—and Friends:

In this Senate Chamber of our State of Texas—in the presence of our Governor, Lieutenant Governor—of our Senators—of these descendants and members of the family of Colonel Francis Marcus Weatherred—we feel we are in the presence of our fathers and mothers who were the Texans of a century and a quarter ago.

Those of us who are so fortunate and so honored as to live with a family tradition that includes the lives and services and sacrifices of the forefathers who were among the Texans of the 1820's, 1830's, and 1840's—are deeply reverent—deeply appreciative of this occasion.

We wish our Governor—our Lieutenant Governor—and our Senators, to know that we are both appreciative and reverent. To you, we wish to express our appreciation as well as our pride, in the resolution offered by Senator Martin and passed by the Senate, in response to which we are here today to present to this Senate—and to have placed upon the walls honored by Texas heroes and statesmen—the portrait of our ancestor, Colonel Francis Marcus Weatherred.

Colonel Weatherred was born in Albemarle County, Virginia, on July 15, 1781. His father was a soldier of the Revolution. His family was one of the English families who came to Virginia in the early colonial days, and he was a Suddeth and a Sumter as well as a Weatherred.

His life began to take on significance to Texans of today when he moved with his family to Tennessee as a youth, and settled at Bledsoe Lick near Nashville—also, not a too-long ride from The Hermitage, the home of Andrew Jackson. There, he came to know Andrew Jackson who then was Commanding General of the Tennessee militia.

Andrew Jackson was born in 1767, had fought as a teen-age boy in the last year of the Revolutionary War—had taken on a characteristic hatred for the British—had moved out to

Tennessee in 1788—had served in the Congress and in the Senate before the turn of the century. He had established a reputation as a soldier and a leader in every cause affecting the welfare of the common man. He was the idol of the people of Tennessee.

When the British-inspired uprisings of the Creek Indians broke out in 1813, Jackson mustered a Tennessee volunteer army and moved on into the mountainous wilderness in the Eastern Tennessee and Northern Alabama country. In characteristic fashion, he moved ahead of his supplies. His troops were on the country, and the country was a wilderness. This was truly one of the hardest tours of active military service in American history.

Francis Marcus Weatherred was then 32 years of age, and was a company officer under Captain Bledsoe in a regiment led by Colonel Edward Bradley. He fought with distinction at the battle of the Indian village of Talladega, and remained in service with Jackson throughout the tough Creek Indian campaigns.

In one of these Creek battles, Ensign Sam Houston, 12 years the junior of Francis Marcus Weatherred, was severely wounded. Houston had come out to Tennessee from Virginia in 1806. Ensign Houston was then but 20 years of age, but was already winning recognition as a leader and a soldier. Houston went to Congress in 1823—became Governor of Tennessee in 1827, and in 1829, moved on out to Texas.

In the meantime, Jackson had fought and won the Creek war—and fought and won the Battle of New Orleans—had become Senator—and then from 1829 to 1837, was the President of the United States.

The Jacksonian ideal—the Jacksonian doctrine—was the expansion and development of the resources and the power of the West, and the recognition of the dignity of the common man. There is little that is written on the point, but the coincidences of character—of time and opportunity, and of incidents, support all but conclusively the theory of many sound historians that Jackson—the hero and the idol of Sam Houston, and of the Tennesseans of his day—was the inspiration for Houston's movement into Texas.

The citizens of many states—men and women—especially of the Southern states, responded to the Texas

vision of new country, new liberties and new opportunities. We need not in the least lessen our respect and appreciation for the Texas pioneers from other states when we point to the force and leadership contributed by Tennessee through Sam Houston, inspired as he was by Andrew Jackson, and through the scores of Tennessee families who followed Houston to Texas.

Francis Marcus Weatherred and his family came out to Texas with Sterling Robertson in 1835. He was active in the pioneering of the settlement of the Robertson Colony, organized in Nashville, Tennessee, and moved to the Robertson Colony in Texas, the boundaries of which were, roughly, the watershed of the Brazos River from Navasota on the east to the Colorado breaks on the west, and extending from a line through Williamson County northward through the cross-timber country to include Johnson and adjoining counties east and west. The seat of this Colony became known as Old Nashville at the falls of the Brazos River south of Waco.

Francis Marcus Weatherred's headright was a league and labor of land in Hill County, extending west of what is now Hillsboro, to the Brazos River, including both prairie and cross-timber country.

He settled near the Brazos River in Hill County but the pressure against the Robertson Colony by the advancing Mexican Armies was such that Francis Marcus Weatherred and his family moved eastward to Old Milam in Sabine County.

In 1836, Colonel Weatherred was 55 years of age, an advanced age for a soldier of that day as it is for this. Nevertheless, he was active in the service with Houston's forces, and was prevented from being at the Battle of San Jacinto only by an assignment that Houston had given him, involving the safety of the women and children who had retreated in the face of the advancing Mexican Army.

He was an active participant in all of the movements that led up to the Declaration of Independence—the Revolution—the writing of the Constitution of the Republic of Texas—and the organization of the first Congress of the Republic, of which he was a member as a Representative in the Lower House from Sabine

County. His district included 21 counties of East Texas.

The lives, sacrifices and accomplishments of the pioneer Texans were heroic in their scope, their vision and their attainments. But the pioneer men and women—our forefathers—did not consider themselves as heroes. They were for the most part a kindly but rigorous people seeking to establish for their children, homes in a new land of peace, liberty, and opportunity.

In our family is a treasured document, the memoirs of my paternal grandmother. She was the daughter of Dr. John Lawhon, one of the settlers of Jefferson County, and the founder of the Lawhon family of Texas. Her father and mother and their three young children had come overland from Tennessee to Texas when my grandmother was but a child. She married William Carroll Weatherred—one of the sons of Colonel Francis Marcus Weatherred—and her life spanned 65 years of Texas history. In her memoirs, she says:

"I would like to say something of the hospitality of old Texans—when a new settler came to the country, everyone strove to make the newcomer feel at home. They would send him beef and pork, give him cows to milk, also vegetables from the gardens, and potatoes and turnips and help him in various ways. They considered them neighbors—though 10 miles away—and they took time to visit."

My grandmother's diary goes on to say—"After Santa Anna's defeat, and Texas declared its independence, Colonel Francis Marcus Weatherred—my husband's father—settled in the little town of Milam, Sabine County, and remained there, never returning to his home on the Brazos with his family, who were so dissatisfied in the wild, rough country. They would have started back to Tennessee the next day if he had yielded to their pleadings. That was the case of hundreds of women and children who had left their homes in the States where they had peaceful and pleasant surroundings, and from which they had drifted down into this rough, wild country. It certainly must have been hard for them. Heretofore, they had never known want in any way. At first, they pined at their situation—but, when the time came that their fortitude was called into action, they could brave every danger—even to defend their homes in the absence of their husbands, fathers and brothers,

who were out trying to drive the enemy from the country. Colonel Weatherred lived in Milam many years—died in 1854, leaving a wife, six children and 30 grandchildren.

Upon his death, numerous of his children came out to Hill and Johnson Counties, and were among the early settlers in the country lying west of Hillsboro, south of Cleburne and extending to the Brazos River.

Those of us in this audience today who are descendants—and least removed from our ancestor, Colonel Weatherred—are his great-grandchildren.

The pride we take in this occasion is a pride we have as Texans, in the Texas tradition and the Texas ideal. In honoring Colonel Francis Marcus Weatherred, you have honored, it is true—a soldier, a pioneer, and a patriot—but in doing so, you are also honoring one who was—above everything—a man of the people, a courageous but kindly neighbor, and a community leader. The Milam Chronicle, published the week after his death, carried the following:

"The patriarch of our little community, the revered of us all, and of all who knew him—is no more." \* \* \* "All mourn his departure—children, children's children, friends, neighbors and strangers—all who knew him, and well they should, for there are few left more worthy of friendship than was he."

In honoring Colonel Weatherred, you do honor also to those early founders of Texas families, the Blounts, the Cartwrights, the Robertsons, the Lawhons, the McFarlands, the Whartons, and scores of others no less distinguished and no less sources of strength and integrity and patriotism that are the marks of the Texas tradition.

This portrait has been recently painted by our good friend Victor Lallier of Dallas. The artist has drawn upon early photographs and descriptive material of 125 years ago. The portrait we now unveil represents our hero at about the age in which he engaged in the Creek wars under General Jackson.

We now present this portrait to the Senate of Texas and in doing so, we rededicate ourselves to the Jacksonian and the Houstonian ideals of what a great people and a great government should be—ideals to which our hero, Colonel Francis Marcus Weatherred, devoted his life and services.



At the conclusion of the address by General Weatherred, he requested Miss Sydney Williams of Longview, a great-great-great-granddaughter of Colonel Weatherred to unveil the portrait.

The President of the Senate, Lieutenant Governor Ben Ramsey, accepted the portrait as follows:

On behalf of the Senate and the State of Texas, I am honored to receive this portrait of Colonel Francis Marcus Weatherred. We appreciate this opportunity to join with the descendants and members of the family of Colonel Weatherred to do honor to this Texas pioneer, soldier and patriot. May Texas always be blessed with such men of these early families whose achievements, spirit of courage and tenacious adherence to high principle have bestowed upon us the cherished ideals and traditions of this great state.

Senator Martin then presented Mrs. Rhoda McCluskey Andrews and she addressed the Senate as follows:

Senator Martin, Governor Ben Ramsey, Descendants of Col. Francis Marcus Weatherred, and Friends:

We want to express our deep gratitude to Senator Crawford C. Martin, Lt. Gov. Ben Ramsey, General Preston A. Weatherred and Mr. Gus K. Weatherred who made this program possible today, and we want to groom our youth with responsible living in the Family, Church and State separate but cooperative unity in our great Republic, thus we would impress the youth of today with the high ideals of our forefathers. Their special connection with the heroic beginnings of our great State, and the deliberate importance we attach to that relationship are positive factors for good in our lives. Even if some of us were privileged to live by bread alone our lives would yet be small satisfaction to us and still less significant to our fellow man or woman. We need the food and drink of inspiration—of the Spirit—and there is little better inspiration than the constant consciousness of our heritage. Of course, inspiration cannot exist without someone to inspire and therefore the value of our heritage depends greatly on ourselves. The nobler our own spirit the greater it will grow from inspirations. "As God was to our fathers, so may He be to us." The thought is not so much that we

acknowledge our dependence on God, but rather that we strive to be as worthy in God's eyes as did our great heroes of the past, whose likenesses survive on these walls in this State Capitol. We surely hope that each of you understand how this presentation of this portrait of our great-grandfather inspires us to greater undertaking. In our Republic every individual is born with all the individual rights of a free people. History shows us that in centuries gone that only a few families and individuals were considered worthy of these great honors and responsibilities. Today, anyone of our citizens, uneducated or educated, poor or wealthy, takes those prized personal liberties in their stride so often with no thought that with these personal rights go responsibilities of care which is a small fief for all the suffering and sacrifice necessary to bring forth this great Republic of ours by our forefathers. If only eternity could make it possible for the ancestors of those patriots whose pictures we see on these walls to view them as they stood just before the great battle of San Jacinto, they would know that all was not in vain as they fought, lived and died for all that is ours today. We should rededicate ourselves to the things that Texans fought for and be as diligent as they were to recognize danger, then we will be worthy of our ancestors, and we will be worthy ancestors of our children. This soil of Texas is sacred to every son and daughter for our land was bought with blood, sacrifice and tears, and let each of us strive to do our part to our world to make it a better one and those portraits will serve to keep our inspiration ever fresh, our hearts ever open to it and our eyes on top of life's highest hills. Thank each of you ever so much, thank you.

Thank you.

#### Remarks of Speakers Ordered Printed in the Journal

On motion of Senator Aikin and by unanimous consent, the remarks of the speakers at the presentation ceremonies were ordered printed in the Journal.

#### At Ease

At the conclusion of the ceremonies, the President announced the Senate would stand At Ease for ten minutes.

#### In Legislative Session

The President called the Senate to

order as in Legislative Session at 2:45 o'clock p. m.

#### Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read, the following enrolled bills and resolutions:

H. C. R. No. 55, Granting permission to E. G. Crenshaw and daughter to sue the State of Texas and Texas Highway Department.

H. C. R. No. 32, Granting Carroll E. Reese permission to sue the State.

H. C. R. No. 148, Requesting Governor to return H. B. No. 632 to the House of Representatives for correction.

H. J. R. No. 23, Proposing an amendment to Section 9 of Article VIII of the Constitution of Texas so as to provide that the Commissioners Court in each county may levy whatever sums may be necessary for general fund purposes, permanent improvement fund purposes, road and bridge purposes so long as the total of these tax rates does not exceed Eighty Cents (80c) on the One Hundred Dollars (\$100) valuation in any one (1) year, and providing further that the Commissioners Court shall not impair any outstanding bonds or other obligations; providing for the necessary election and form of ballot; and providing for the necessary proclamation and publication.

H. B. No. 95, A bill to be entitled "An Act to amend Article 1919, Revised Civil Statutes of Texas, 1925, as amended; prescribing that the terms of all district courts, including criminal district courts, shall be continuous; providing for as many sessions of court in any county as the judge deems proper and authorizing him to adopt rules and regulations relating thereto; providing for trial of certain cases and performance of certain acts by district judges, including visiting judges, in any county in their respective districts; validating certain orders heretofore entered; making certain actions and proceedings taken before the effective date of this Act valid for the next succeeding terms as established by this Act; providing for the continuation of terms until expiration under existing laws for courts which are in session when this Act takes effect; repealing

conflicting laws; and fixing the effective date of this Act."

H. B. No. 685, A bill to be entitled "An Act to validate, upon certain terms and conditions, State Park Improvement Bonds heretofore authorized by the Texas State Parks Board and all covenants and agreements and all actions and proceedings in connection therewith; and providing the bonds to be incontestable; and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act providing for a closed season in Collin County upon quail and squirrel until January 1, 1958, providing a penalty, and declaring an emergency."

H. B. No. 253, A bill to be entitled "An Act amending Paragraph (3) of Section 1 of Article 3.50, Sub-Chapter E of Senate Bill No. 236, Chapter 491, Acts of the 52nd Legislature, Regular Session, 1951, as amended by House Bill No. 364, Chapter 345, Acts of the 53rd Legislature, Regular Session, 1953, and as amended by House Bill No. 24, Chapter 18, Acts 1st Called Session of 53rd Legislature, 1954, pertaining to group life insurance policies, and declaring an emergency."

H. B. No. 484, A bill to be entitled "An Act to repeal Chapter 26, Acts of the 39th Legislature, 1925, known as the old headlight test law and now codified as Article 6701c. of Vernon's Civil Statutes, relating to the regulation of lights and lighting of vehicles, and to amend Chapter 421, Acts of the 50th Legislature, 1947, known as the Uniform Act Regulating Traffic on Highways, by amending Sections 126 and 127, relating to multiple beam road lighting equipment, and by adding two new sections to be entitled Sections 108A and 108B; regulating the sale or use of lamps, signal devices, and other automotive equipment; requiring approval or disapproval by the Department of Public Safety; establishing a procedure therefor; providing for the collection of fees for such purpose and for the disposition of such fees; authorizing the revocation of approval; providing for an appeal; repealing conflicting laws; and declaring an emergency."

H. B. No. 452, A bill to be entitled "An Act amending Section 1 of House Bill No. 473, Chapter 9, Acts of the

Forty-sixth Legislature, Special Laws, 1939, as amended, so as to provide for a purchasing agent in counties having a population of 100,000 or more inhabitants according to the last preceding Federal census; providing that the salary of the purchasing agent shall be set at a figure not less than Thirty-six Hundred Dollars (\$3600.00), nor more than Six Thousand Dollars (\$6,000.00) per year and providing that this salary shall be paid out of the General Fund and/or the Road and Bridge Fund; providing for a repealing clause; and declaring an emergency."

H. B. No. 308, A bill to be entitled "An Act to amend the Uniform Narcotic Drug Act, as enacted by Chapter 169, Acts of the 45th Legislature, 1937, as amended, by adding a new section thereto, to provide for the confiscation of any vehicle used for the illegal transportation of any narcotic drug; providing for replevy upon execution of bond; providing for forfeiture, sale or use of such vehicle; providing for protection of a valid lien holder of such vehicle; appropriating moneys derived from the sale of such vehicle to the use of the Department of Public Safety for enforcing this Act; requiring a report of such confiscation to be made; providing penalties; making the Act cumulative but controlling; providing for severability; and declaring an emergency."

H. B. No. 466, A bill to be entitled "An Act authorizing and directing the Board for Texas State Hospitals and Special Schools to sell certain land located near Abilene State Hospital in Taylor County, Texas, for cash at public auction or private sale; providing that said land shall be sold with a reservation of one-half ( $\frac{1}{2}$ ) of the mineral royalty; authorizing the Executive Director of said Board to execute and deliver the necessary conveyance to be approved by the Attorney General; and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act providing the qualifications for jurors in the State of Texas; providing certain exemptions from jury service; etc.; and declaring an emergency."

H. B. No. 850, A bill to be entitled "An Act to abolish the office of County Attorney of Cass County, Texas; creating the constitutional of-

fice of Criminal District Attorney for Cass County; providing for the election and tenure of office and prescribing the qualifications, powers, duties, compensation and expenses of said office; providing for the appointment of a secretary and providing for her compensation; providing for the appointment of the Criminal District Attorney until the next general election and until his successor shall qualify; providing from the effective date of this Act that the District Attorney of the 5th Judicial District of Texas shall only represent the State of Texas in the county of Bowie and that the provisions of this Act shall not affect the office of District Attorney of the 5th Judicial District in Bowie County and shall not affect the tenure of office and the duties and powers of such District Attorney in said county of Bowie and providing that the District Attorney of the 5th Judicial District shall only be elected for the county of Bowie and at the next general election and every four years thereafter and divesting the duties and powers of the District Attorney of the 5th Judicial District Court of Texas in Cass County from the District Attorney and investing them in the resident Criminal District Attorney of Cass County, Texas; providing for a severability clause; providing for a repealing clause; and declaring an emergency."

H. B. No. 164, A bill to be entitled "An Act validating orders entered by County Judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the mayor and aldermen of such cities, towns or villages; validating the corporate existence of such cities, towns or villages and elections heretofore held for the election of officials and the authorization of bonds, and other proceedings relating to the issuance of such bonds; providing that the officials named in such order constituted the officials of such city; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 866, A bill to be entitled "An Act amending Article 6954, Revised Civil Statutes of Texas, 1925, as amended, which relates to certain stock law elections, so as to make it apply to King County; and declaring an emergency."

H. B. No. 725, A bill to be entitled "An Act defining the term 'public securities' as used herein; authorizing the execution of public securities by means of engraved, imprinted, lithographed or otherwise reproduced facsimile of all signatures (except one) required for execution, authentication, certification or endorsement of such securities; declaring the Act to be cumulative; repealing inconsistent provisions of other laws; and declaring an emergency."

H. B. No. 653, A bill to be entitled "An Act to amend Section 1, subdivision (1) and Sections 2 and 4 of Acts of the Forty-ninth Legislature, 1945, Chapter 293, at page 463, relating to protected Assignments of Accounts Receivable regardless of whether such accounts are in existence at the time notice of assignment is filed; defining 'Account' or 'Account Receivable'; providing for the form and filing of notices relating thereto; providing for the filing, cancellation, satisfaction, and release of such notice; and providing the duties and fees of the County Clerk in connection therewith; providing that the recording of such notices shall constitute constructive notice regardless of whether the contract out of which the accounts arose was in the contemplation of the assignor and assignee when the notice of assignment was executed; and declaring an emergency."

H. B. No. 436, A bill to be entitled "An Act amending Article 11.11, Chapter 11, of the Insurance Code of the State of Texas, Revised Civil Statutes of Texas of 1925, Acts 1951, 52nd Leg., Chap. 491, as amended by Acts 1951, 52nd Leg., Page 160, Chap. 98, and enrolled under said Article without change, pursuant to H. C. R. 179 by the 52nd Legislature, relating to the contingency reserve and surplus of Mutual Legal Reserve Life Insurance Companies, and providing that such Mutual Legal Reserve Life Insurance Companies may designate their contingency reserves as surplus in all financial statements and reports."

H. B. No. 223, A bill to be entitled "An Act exempting all residents over a certain age and all persons under a certain age from payment of any fees for any non-commercial hunting or fishing license; repealing all laws

in conflict; and declaring an emergency."

H. B. No. 156, A bill to be entitled "An Act relating to firemen's and policemen's civil service in cities of 10,000 or more inhabitants; amending various sections of the Acts of 1947, 50th Legislature, p. 550, Ch. 325, as amended; etc.; and declaring an emergency."

H. B. No. 541, A bill to be entitled "An Act to provide for the sale by the State to the City of Port Arthur, Texas, a municipal corporation, and its assigns, a certain tract or area of land situated in Jefferson County, Texas, same being riparian lands constituting a part of the former bed of Sabine Lake, retaining to the State all mineral rights therein; and declaring an emergency."

H. B. No. 555, A bill to be entitled "An Act authorizing the commissioners' court of any county bordering on the Gulf of Mexico to make permanent improvements relating to sea walls, breakwaters, levees, dikes, floodways, and drainways and make payment for the same; authorizing the issuance of bonds, time warrants, and certificates of indebtedness to pay for said improvements and providing terms and conditions relating thereto; authorizing the refunding of said obligations; providing that this Act shall be cumulative of other laws relating to the subject matter; providing a severability clause; and declaring an emergency."

H. B. No. 702, A bill to be entitled "An Act designed to contribute to the control and prevention of diseases which may be normally transmitted through the medium of food, drink, or utensils, dishes, and serving implements used in connection therewith; defining the term 'food'; prohibiting certain performances and employment of persons infected with transmissible conditions of disease; providing for sanitary requirements and examinations of certain employees and persons; authorizing incorporated cities (including home rule cities) to enact ordinances incidental hereto; providing a penalty for violation of this Act; repealing Chapter 356, Acts of the 45th Legislature, Regular Session, 1939 (codified as Article 705c in Vernon's Texas Penal Code) and all amendments thereto;

repealing all other laws in conflict herewith; providing for severability; and declaring an emergency."

H. B. No. 782, A bill to be entitled "An Act amending an Act now codified and appearing as Art. 2327d, Vernon's Civil Statutes of the State of Texas, Annotated, by making an addition thereto providing for salaries of Official Shorthand Reporters in County Courts in Counties of not less than Five Hundred Thousand (500,000) inhabitants according to the last preceding Federal Census, or any future Federal Census, and providing for the manner of payment thereof, etc., and declaring an emergency."

#### Conference Committee on Senate Bill 171

The President announced the appointment of the following as a Conference Committee on S. B. No. 171 on the part of the Senate: Senators Ratliff, Corbin, Kazen, Hardeman and Colson.

#### Report of Standing Committee

Senator Lane, by unanimous consent, submitted the following report:

Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. C. R. No. 142, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

LANE, Chairman.

#### House Bill 470 on Second Reading

On motion of Senator Aikin, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 470, A bill to be entitled "An Act levying an intangible assets tax on all contract motor carriers operating under permits issued by the Railroad Commission of Texas; and declaring an emergency."

The bill was read second time and was passed to third reading.

#### House Bill 470 on Third Reading

Senator Aikin moved that Senate

Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 470 be placed on its third reading and final passage.

The motion prevailed by the following vote:

#### Yeas—27

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Corbin	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

#### Absent

Hazlewood	Phillips
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#### Absent—Excused

Colson	Shireman
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

#### Yeas—26

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Corbin	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	

#### Absent

Hazlewood	Willis
Phillips	

#### Absent—Excused

Colson	Shireman
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#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
May 10, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House has appointed the following Conference Committee on S. B. 44: Burkett, Kennedy, McDonald, Spilman and Yancy.

H. B. No. 438, An Act amending Section 19 of Chapter 404, Acts of the Forty-fifth Legislature, Regular Session, 1937, which requires the services of registered professional engineers in connection with certain public works, etc., and declaring an emergency.

(With engrossed rider.)

H. B. No. 714, A bill to be entitled "An Act defining and prohibiting unfair practices with a view to preventing the offering for sale or the selling of merchandise below cost for the purpose of injuring, destroying, or substantially lessening competition; providing remedies for violation thereof; establishing a penalty therefor; providing a saving clause; repealing all laws and parts of laws in conflict therewith to the extent of the conflict; and declaring an emergency."

(With engrossed rider.)

H. B. No. 878, A bill to be entitled "An Act creating a conservation and reclamation district under the provisions of Section 59, Article 16, of the Constitution, to be known as 'Reagan County Water Supply District'; conferring upon the district the powers of the general laws governing water control and improvement districts where not in conflict with this Act; providing for the governing body of the district; providing for the issuance of bonds and fixing a limitation thereon; providing for refunding bonds; adopting the ad valorem plan of taxation for said District eligible for investments, and exempting the property and the bonds of the District from taxation; finding a benefit; providing a severability clause; and declaring an emergency."

(With engrossed rider.)

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives

#### Senate Resolution 337

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. D. C. Norwood and Mr. George W. Anderson, Jr., of the North Texas Oil and Gas Association, Wichita Falls, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

#### Senate Bill 12 with House Amendments

Senator Bracewell called S. B. No. 12 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Bracewell moved that the Senate concur in the House amendments.

The motion prevailed.

#### House Bill on First Reading

The following bill received from the House was read and was referred to the committee indicated:

H. B. No. 438, To the Committee on State Affairs.

#### Senate Bill 218 on Second Reading

On motion of Senator Lock and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 218, A bill to be entitled "An Act providing for initial admissions to State Mental Hospitals; providing that findings of hospital staff be admitted in evidence; providing that notification as to findings be given county court; providing for partial invalidity; and declaring an emergency."

The bill was read second time and passed to engrossment.

#### Senate Bill 218 on Third Reading

Senator Lock moved that Senate

Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 218 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—22

Ashley	Moore
Bracewell	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Rogers
Hazlewood	of Childress
Lane	Rogers of Travis
Lock	Secrest
Martin	Strauss
McDonald	Weinert
Moffett	

## Nays—5

Aikin	Wagonseller
Kazen	Willis
Roberts	

## Absent

Kelley	Latimer
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## Absent—Excused

Colson	Shireman
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

## Senate Bill 3 with House Amendments

Senator Hardeman called S. B. No. 3 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hardeman moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

## Senate Bill 437 on First Reading

Senator Rogers of Travis by unanimous consent moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this

time a bill, to provisions of which he explained.

The motion prevailed by the following vote:

## Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Corbin	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers of Travis
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

## Nays—1

Rogers
of Childress

## Absent—Excused

Colson
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The following bill was then introduced, read first time and referred to the committee indicated:

## By Rogers of Travis:

S. B. No. 437, A bill to be entitled "An Act transferring funds, supplementing the appropriation to the Board of Pardons and Paroles for stationery, printing, binding, office supplies, miscellaneous, office expense, office equipment, postage, box rent, telephone, telegraph and contingent expense, and travel expense, for the fiscal year ending August 31, 1955; and declaring an emergency."

To the Committee on Finance.

## House Joint Resolution 9 on Second Reading

On motion of Senator Fuller and by unanimous consent, the President laid before the Senate on its second reading H. J. R. No. 9 (the resolution having been read the second time on Thursday, May 5, 1955) with an amendment by Senator Hardeman pending.

Question—Shall the amendment by Senator Hardeman be adopted?

Senator Hardeman by unanimous consent withdrew the pending amendment.

On motion of Senator Fuller and

by unanimous consent the vote by which the amendment by Senator Lane was adopted on Thursday, May 5, 1955, was reconsidered.

Senator Lane then withdrew his amendment.

Senator Hardeman offered the following amendment to the resolution:

Amend H. J. R. No. 9, Section 1, by striking out all of lines 20, 21, 22 and 23 and substituting in lieu thereof the following:

"Section 11a. Any person accused of a felony less than capital in this state, who has been theretofore twice convicted of a felony, the second conviction being subsequent to the first, both in point of time of commission of the offense and conviction therefor may, after a hearing, and upon evidence substantially showing the guilt of the accused, be denied bail pending trial, by any Judge of a Court of record or magistrate in this state; provided, however, that if the accused is not accorded a trial upon the accusation within sixty days from the time of his incarceration upon such charge the order denying bail shall be automatically set aside, unless a continuance is obtained upon the motion or request of the accused; provided, further, that the right of appeal to the Court of Criminal Appeals of this state is expressly accorded the accused for a review of any judgment or order made hereunder."

The amendment was adopted.

On motion of Senator Fuller and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

The resolution, as amended, was passed to third reading.

#### House Joint Resolution 9 on Third Reading

Senator Fuller moved that Senate Rules 32, 45 and the constitutional rule requiring resolutions to be read on three several days be suspended and that H. J. R. No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Fuller
Ashley	Hardeman
Bracewell	Hazlewood
Corbin	Kazen
Kelley	Fly

Lane	Roberts
Lock	Rogers of Travis
Martin	Secrest
Moffett	Shireman
Moore	Strauss
Owen	Wagonseller
Parkhouse	Weinert
Phillips	Willis
Ratliff	

Nays—2

McDonald	Rogers of Childress
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Absent

Latimer

Absent—Excused

Colson

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was passed by the following vote:

Yeas—26

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers of Travis
Hazlewood	Secrest
Kazen	Shireman
Kelley	Strauss
Lock	Wagonseller
Martin	Weinert
Moffett	Willis

Nays—3

Lane	Rogers of Childress
McDonald	

Absent

Latimer

Absent—Excused

Colson

#### Senate Bill 161 with House Amendments

Senator Fly called S. B. No. 161 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Fly moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:



## Yeas—30

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Corbin	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

## Absent—Excused

Colson

**Senate Bill 145 with House Amendments**

Senator Aikin called S. B. No. 145 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Aikin, Bracewell, Lock, Martin and Shireman.

**Committee Substitute Senate Concurrent Resolution 23 on Second Reading**

The President laid before the Senate on its second reading C. S. S. C. R. No. 23 (the resolution having been read the second time on yesterday).

Question—Shall C. S. S. C. R. No. 23, as amended, be adopted?

The resolution, as amended, was adopted.

**Record of Votes**

Senators Parkhouse and Owen asked to be recorded as voting "nay" on the adoption of the above resolution.

**Senate Bill 423 on Second Reading**

On motion of Senator Rogers of Childress and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 423, A bill to be entitled "An Act amending Section 2 of House Bill 302, Acts of the Fifty-fourth Legislature, Regular Session, 1955; repealing all laws in conflict with this Act in so far as they conflict with this Act; and declaring an emergency."

The bill was read second time and passed to engrossment.

**Senate Bill 423 on Third Reading**

Senator Rogers of Childress moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that Senate Bill No. 423 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

## Absent

Corbin Rogers of Travis

## Absent—Excused

Colson

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

**Adjournment**

On motion of Senator Hardeman, the Senate, at 3:38 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.